BOMBAY CIVIL FUND.

At a General Meeting of the Subscribers to the Bombay Civil Fund, held at the Town Hall, on Tuesday, the 14th December 1841.

PRESENT:

Messrs. CRAWFORD.	Messrs. WEBB, (TRUSTEE.)
„ MARRIOTT.	„ GRANT.
„ BRUCE, (TRUSTEE.)	„ KIRKLAND.
„ ELLIOT.	„ ESCOMBE.
„ VIBART.	„ GORDON.
„ REID.	„ SPENS.
„ WILLOUGHBY (TRUSTEE.)	„ W. H. HARRISON.
„ GREENHILL.	„ WOODCOCK.
„ MORRIS, (SECRETARY.)	„ FRERE.
„ BLANE.	„ CORFIELD.
„ WARDEN.	„ BABINGTON.
„ LEGEYT, (TRUSTEE.)	„ ANDERSON.

Mr. Crawford, the Senior Member present, takes the Chair, agreeably to the Regulations.

The following Gentlemen deliver in the authority on which they propose to act as Proxies for the respective absent Members.—The letters of nomination are entered at length in Appendix I.

Mr. Frere.....	....	.....proxy	for Mr. Devitre.
Mr. Vibart	....	..... „	for Mr. Loughnan.
„	....	..... „	for Mr. Rose.
„	....	..... „	for Mr. Stewart.
Mr. Gordon....	....	..... „	for Mr. Forbes.
„	....	..... „	for Mr. A. N. Shaw.
„	....	..... „	for Mr. G. Inverarity.
Mr. LeGeyt....	....	..... „	for Mr. Faweett.
„	....	..... „	for Mr. Price.
Mr. Greenhill ..	....	..... „	for Mr. J. H. Pelly. Junior.
„	....	..... „	for Mr. Borradaille
„	....	..... „	for Mr. Muspratt.
Mr. Escombe ..	....	..... „	for Mr. Hunter.
„	....	..... „	for Mr. Scott.
„	....	..... „	for Mr. Goldsmid.
Mr. Kirkland ..	....	..... „	for Mr. Morgan.
Mr. W. H. Harrison		..... „	for Mr. Hadow.
„	....	..... „	for Mr. Giberne.
„	....	..... „	for Mr. E. B. Mills.

The Secretary reads the following Summary of the Proceedings of the Trustees since the General Meeting held on the 24th August 1841.

The Trustees beg to lay before the Meeting the votes received from the Outstations on the Propositions directed to be circulated at the General Meeting held on the 24th August last.

2. Agreeably to Section 6th of Article 4th of the Regulations, the observations of the Members at the subordinate Stations were solicited, and circulated for the general information of the Members before the votes were collected—The Minutes received, (Appendix A.) together with those which have been sent in at the time of recording their votes, (Appendix B.) the Trustees now beg to lay before the Meeting—They have further to submit a Minute from Messrs. Malet and Lumsden, (Appendix C.) received too late to be printed and circulated before the collection of the votes.

3. In connection with the Resolution, which was thrown out at the General Meeting held on the 3rd November 1840 relative to the date when the Annuity granted to Mr. Baber was to commence, the Trustees beg to submit a letter from the Secretary to Government dated 20th August last with its annexed Extract from a Dispatch from the Honorable the Court of Directors dated 31st March preceding, (Appendix D.) respecting Mr. Baber's resignation of the Civil Service, and acceptance of an Annuity from the Civil Fund, and the reply returned by the Trustees to Government under date the 14th September last.

4. The Trustees have to lay before the Meeting a Correspondence, (Appendix E.) which has passed with Mr. Vibart on the subject of his right to have an Annuity reserved for him, consequent on the terms conveyed to him in the letter of the 31st May last, and further because the offer of an Annuity from the 1st May 1841 was not made to him so as to admit of his giving the intimation required of him on or before the 1st November preceding.

5. The Trustees would refer to the letters, which have been addressed to Mr. Vibart, as containing their views of the claim now preferred, but would at the same time explain, that had Mr. Vibart been enabled to prefer his application on the 1st November 1840 for an Annuity of the 1st May 1841, he would only have been entitled to a preference in obtaining that Annuity on his accepting it when it became due, or on the 1st May 1841—Such an opportunity was afforded Mr. Vibart by the intimation contained in the letter of the 31st May last, which it is to be remarked is couched in the usual terms, the Rule that resignation of the Service is indispensable to constitute a claim to the Annuity being laid down in the Regulations; but as Mr. Vibart was not prepared to resign the Service at that time, his precedence ceased, since the Trustees have no power to detain Annuities which have fallen in arrear.

6. The Trustees have to announce, with reference to the 8th paragraph of their last Report, that a final settlement was effected with the Agents of Mr. Williamson on the 11th September last.

7. Referring to the 11th paragraph of their Report laid before the Meeting held on the 24th August last, the Trustees have to submit a letter from Mr. G. A. E. Campbell, (Appendix F.) intimating that the Honorable Court do not consider him entitled to the remaining Moiety of the furlough allowance from his not having completed his residence of ten years, but have conceded to him an allowance of £170, and requesting that the difference between that sum and 300 £, the income allowed by the Regulations, may be made up to him, with which request the Trustees have complied, and approved of the Agents in England having met the demand by anticipation.

8. The Trustees have to intimate, that Mrs. Purnell, late Mrs. Stracey, having applied to be restored to her full Annuity consequent on the demise of her second Husband on the 9th November last, the application has been complied with, under Section 9th of Article 11th of the Regulations, and the Agents in England instructed to make the necessary payments.

9. Adverting to Section 4th of Article 7th of the Regulations, the Trustees beg to lay before the Meeting a letter and proposition by Mr. Scott, seconded by Mr. Stewart, (Appendix G.) for modifying the concluding portion of that Section.

10. In conclusion the Trustees have to submit to the Meeting a letter to their own address, and one to the Members of the Fund, (Appendix H.) from Mr. Greenhill, tendering his resignation of the situation of Trustee, and intimating the grounds on which he has been led to adopt that step.

11. This proceeding has resulted from a requisition made by Mr. Greenhill on the Secretary "for the Minutes and Votes that may have been received on the Propositions in circulation," and which being unusual, the regular and established course being for the whole to be collected, and then circulated with the Report to be submitted, for the approval of the Trustees, the Secretary did not consider himself authorized to comply with the requisition, and accordingly sought the instructions of the Trustees; and the Trustees not discerning any good grounds on which the deviation should take place, concurred in the expediency of adhering to the regular mode of proceeding, not perceiving that any call or occasion had been shewn to render a departure from it necessary—and on their abiding by this decision, notwithstanding the arguments adduced by Mr. Greenhill as given in his Minute, he has had recourse to the step which the Trustees have intimated, and which is placed before the Meeting agreeably to his request.

Proposed by Mr. Elliot, seconded by Mr. Reid, that the Proceedings of the Trustees be approved.

Mr. Escombe moves the following Amendment, which is seconded by Mr. Vibart.

That after the word approved, there be added, "with the exception of that part of them which relates to the refusing to Mr. Greenhill the papers which he demanded to see, and which this Meeting is of opinion the Trustees have no right to withhold."

The votes are taken on the above.

Pro.	*Con.*
Mr. Babington.	Mr. Anderson.
Mr. Corfield.	Mr. Woodcock.
Mr. Frere.	Mr. Grant.
Mr. Harrison.	Mr. Reid.
Mr. Spens.	Mr. Elliot.
Mr. Gordon.	Mr. Crawford.
Mr. Escombe.	—
Mr. Kirkland.	6
Mr. Warden.	
Mr. Blane.	
Mr. Greenhill.	
Mr. Vibart.	
Mr. Marriott.	
—	
13	

Messrs. Webb, LeGeyt, Morris, Willoughby, and Bruce, decline voting.

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The Amendment is carried by 13 against 6.

Mr. Vibart tenders Mr. Loughnan's Proxy in favor of the Amendment.

The following Proposition is brought forward by Mr. Reid, and being seconded by Mr. Willoughby, the votes are collected on it.

That the Proxies tendered be rejected, as contrary to the Regulations, the established usage of the Fund, and the practice hitherto observed at General Meetings.

Pro.	*Con.*
Mr. Anderson.	Mr. Corfield.
Mr. Babington.	Mr. Frere.
Mr. Woodcock.	Mr. Gordon.
Mr. Spens.	Mr. Harrison.
Mr. Grant.	Mr. Escombe.
Mr. Webb.	Mr. LeGeyt.
Mr. Morris.	Mr. Warden.
Mr. Willoughby.	Mr. Blane.
Mr. Reid.	Mr. Greenhill.
Mr. Elliot.	Mr. Vibart.
Mr. Bruce.	—
Mr. Marriott.	10
Mr. Crawford.	
—	
13	

and the numbers being 13 against 10, the Resolution is carried.

Mr. Vibart moves that the question be referred to the Service in conformity with Section 5th of Article 4th of the Regulations, and which is accordingly resolved.

Mr. Shaw joins the Meeting.

The Meeting proceeds to record the votes from the Out-stations, and to take the votes of the Members present on the several Resolutions which were directed to be circulated at the last General Meeting.

Resolved that the votes received from Rutnagherry on the 1st Proposition having been returned on a point of form, and not again sent in, they now be entered and recorded.

Proposition 1st.—That the plan sanctioned by the Hon'ble Court of Directors to be in operation till 30th April 1842, is the plan on which Parties who are, or may become, qualified to accept an Annuity, up to the said date, can of right claim an Annuity; and that according thereto there are 9 Annuities at one quarter value, and three Annuities for the year 1841 at half value, at the disposal of qualified applicants till the date aforesaid, viz. 30th April 1842.

	Pro:	Con:
1 Ahmedabad	1	6
2 Ahmednuggur	4	„
3 Baroda	3	„
4 Broach	1	„
5 Bhooj	„	2
6 Belgaum	6	„
7 Bhopal	„ Not received	„
8 Candeish	4	„
9 Calcutta	Not received	
10 Calicut	„	1
11 Colabah	1	„
12 Dharwar	5	„
13 Kaira	3	„
14 Poona	8	„
15 Rutnagherrie	Not received	
16 Sholapoor	5	„
17 Surat	7	„
18 Sawunt Warrey	„	„
19 Tannah	2	1
Nassick (Mr. Tytler)	1	„
Rutnagherie (Mr. Bazett)	1	„
20 Mahableshwer	„	1
	52	11

	Pro.	*Con.*
Brought over		
From the Out-Stations	52	11
At the Meeting.		At the Meeting.
Mr. Corfield.		Mr. Anderson.
Mr. Harrison.		Mr. Babington.
Mr. Spens.		Mr. Woodcock.
Mr. Gordon.		Mr. Grant.
Mr. Escombe.		Mr. Morris.
Mr. LeGeyt.		Mr. Willough by.
Mr. Warden.		Mr. Reid.
Mr. Blane.		Mr. Elliot.
Mr. Greenhill.		Mr. Bruce.
Mr. Hunter.		Mr. Marriott.
Mr. Hadow. } Rutnagherry List.		Mr. Crawford.
Mr. Forbes.		Mr. Elphinstone, Rutnagherry List.
Mr. Giberne, by his proxy. Mr. Harrison		12
Mr. E. Mills, „ „		—
Mr. Borradaile, „ „ Greenhill		23
15		—
—		
67		
—		

Mr. Shaw and Mr. Webb decline voting.

A Majority of three fourths being required, this Resolution is thrown out.

Mr. LeGeyt requests that his Proxy on behalf of Mr. Price may be recorded in favor of the foregoing Proposition, and it is held that under the vote already passed, it cannot be received.

Mr. Legeyt records a Protest.

I beg to enter my protest against the rejection of Mr. Price's vote, tendered by me as his appointed and duly authorized Proxy, under Section 13, Article IV of the Regulations.

P. W. LEGEYT,

Mr. Greenhill hands in a Minute, which is recorded.

By Article IV. Sec. 8. it is provided, that no Proposition to change any *Rule of the Fund* shall be considered as carried, unless supported by a majority of 3 | 4ths of the collective votes.

And by Section 15 of the same Article "no decision "upon general questions, or upon any other question "affecting the resources or the expediture of the Fund, "shall be final until sanctioned and approved by the "Court of Directors, to whom all Parties considering "themselves aggrieved by such decisions shall have a "right of appeal &c.

These are the clear Provisions of the Code on the subject.

Now, it is asked, what *Rule of the Fund* is affected by the motion that is before the Service?—It is true, a majority of 3 | 4ths on *avowedly doubtful data* did, two years ago, propose to alter a Rule, but it not having been sanctioned, it does not exist as a Rule; and where the rights of individuals are involved, any one can claim, it is apprehended, a strict enforcement of the *existing Rules*.

Further, the Proposition on which a great portion of the Service has voted, is not to set aside Mr. Morris' scheme, and if the Court sanction it, or any other, and the Service should in spite of the *very altered state of things*, wish to accept it on the *expiration of* the existing plan, the adoption of my Proposition does not prevent that course, altho' it might entail a small assessment to make up any deficiency of Funds.

It is the Trustees who wish to depart from the Rule under which individual rights ought to be held sacred, but instead of their asking and obtaining 3 | 4ths of the votes, as all departures from sanctioned Rules require, they have attempted to set it aside of their own accord; and now it is contended to try to make out, that a *minority of* 1 | 4*th* is sufficient.

If then there be no Rule involved, by what sophistry can a majority of 3 | 4ths of the Service be required, or can a minority of 1 | 4th be said to reject it?—The motion that the course of proceeding on the part of my late colleagues forced upon me, was not to alter, but to *enforce* a Rule already *sanctioned by the Court of Directors*.

To propose then to the great majority of the Service, to vote for a motion in favor of a minority, the same being to contradict, and in effect annul their own decision, could not but be received as a reflection on their understanding, and in the light of factious opposition to the declared sense of the Service.

Bombay, 14*th December* 1841.

D. GREENHILL.
C. S.

Mr. Crawford records the following Minute.

I will simply say, in brief reply to the Paper which Mr. Greenhill has just put in, that holding the answer of the Court of Directors on Mr. Morris' plan to be still expected, I consider, that to adopt the view which Mr. Greenhill upholds is to say, that a majority only of the Service can annul a measure passed by the deliberate Resolution of three fourths of the Service. I shall have more to say on this subject perhaps hereafter, but I am unwilling the Proceedings of to-day should be circulated without recording the short remark which the necessity of delivering it in at the present Meeting for transmission with its Proceedings will alone permit on the effect which Mr. Greenhill's dictum must have, not only on the present, but all future Proceedings of the Service on similar occasions.

14*th December* 1841.

J. H. CRAWFORD,

Proposed by Mr. Escombe, and seconded by Mr. LeGeyt, that the following Amendment of the foregoing Resolution be adopted.

That Mr. Greenhill's Proposition not being to alter a Rule, but to enforce one sanctioned by the Court of Directors, three fourths of the collective votes are not necessary, and that therefore Mr. Greenhill's Proposition is now carried.

On this Amendment being put to the Meeting, the votes were as follows:

Pro.	*Con.*
Mr. Corfield.	Mr Anderson.
„ Frere.	„ Babington.
„ Harrison.	„ Woodcock.
„ Gordon.	„ Spens.
„ Kirkland.	„ Grant.
„ LeGeyt.	„ Webb.
„ Warden.	„ Morris.
„ Blane.	„ Willoughby.
„ Greenhill.	„ Reid.
„ Vibart.	„ Elliot.
	„ Bruce.
	„ Marriott.
	„ Crawford.
10	13

The Proxies are tendered on this Amendment, but rejected under the foregoing Resolution.

The Amendment being accordingly rejected.

Mr. Escombe moves that the Proposition be submitted for the votes of the Service and which is accordingly resolved.

Mr. Escombe further records the following Minute.

Mr. Morris' Scheme adopted by a majority of three fourths of the votes was referred Home for the sanction of the Court of Directors.—That sanction was refused, and the granting of Annuities at a quarter value was at the same time continued for a further period of two years, that is to say, till the 30th of April 1842. On the receipt of that communication from the Court, or rather six months afterwards, a General Meeting thought proper to make a further reference, praying that the matter might be taken into consideration, and although up to the present time no notice has been taken of that reference, we are now told that the whole Service is bound by it, and that because of that reference the Surplus Annuities, are not available. If this second reference had been, as the first, the act of three fourths, or even a bare majority of the Service, there would be no doubt some show of reason for withholding the Annuities, but as the first reference was distinctly negatived by the Court, the majority of votes upon which that was founded cannot be held as authority for the second. The effect of the first majority was to all intents and purposes at an end, when the Proposition which it sanctioned was thrown over by the Court; the second reference to be the act of the Service should have been submitted for the consideration of the whole body of Subscribers, and not having been so submitted, it cannot be considered as their act, but as the act of the General Meeting alone.—If a General Meeting has the same power as a vote of the Service, the omission is of no consequence, but if it have not, I maintain that we are in precisely the same position that we should have been, had the second reference never been made. The Regulations must decide what power a General Meeting has—Section 3. Articles 4. says. "The unanimous vote of the Members present shall "decide all Propositions connected with the Bombay Civil Fund brought forward at a General Meeting, "unless the subject shall be of sufficient importance to require a reference for the opinions and votes of the "Members at subordinates." Was the question of a second reference not of such sufficient importance? The Court had declined to accede to the request contained in the first reference, but they had declined in such a manner as to very materially alter the posture of affairs—they had sanctioned the continuance for two years of the experimental plan and had thus removed all alarm as to the possibility of an immediate recurrence to the half value Annuities. The subject was one of great importance, and the sentiments of the Service ought to have been taken before any thing more was done. There was no such pressing urgency as should have prevented the answer of the Court being communicated, for though that answer was transmitted to the Trustees by Mr. Chief Secretary Reid, under date the 23rd May 1840, more than five months elapsed before it was laid on the 3rd November before a General Meeting and in the mean time, which was more than sufficient for the most distant stations to have recorded their opinions, the Service was kept in profound ignorance that any answer had been received at all. But Section 4th of the same Article does not leave it optional to a General Meeting to refer certain matters or not—it positively says, that they shall be referred. "It shall not be competent for a General Meeting to decide without reference to the Subscribers at large on "any questions involving an alteration in the rate of contribution to the Fund, in the rates or grant of Pen"sions or Annuities or any addition to, or change of, the Rules and Regulations of the Service." When the General Meeting now referred to was held, Mr. Morris' scheme had been rejected by the Court, and the previous Rule, that the Surplus Annuities should be available at the quarter value had, if I may use the expression, been made absolute. This Rule under the above Section could not be altered by a General Meeting, but the General Meeting, held on the 3rd November 1840, or rather the Trustees giving their own interpretation to a Resolution passed at it, have without any reference to the Service annulled this Rule of the Fund and the Court of Directors. This their act is illegal and must be illegal until it be confirmed, as it never has been, by a majority of three fourths of the votes of the Service, so that setting aside Mr. Greenhill's Proposi-

tion, the orders of the Court must be considered as still in force, and no one qualified can up to the 30th of April next be refused an Annuity as long as there is an Annuity to give him.

Whatever may be now the sentiments of the Secretary and the Trustees, it is certain that at one time they maintained opinions similar to those which are here expressed. In his memorandum of the 15th September 1840, which the Trustees adopted in the Report laid by them before the General Meeting in November following, the Secretary distinctly stated, that as the consideration of the Proposition for securing five Annuities in two years had been postponed, the risk was again incurred, that by a sudden and great demand for Annuities, the Surplus Capital which had accumulated might be absorbed. If the letter from the Court of Directors was to go for nothing, as the Trustees at present would seem to maintain, how could such a risk have been incurred? But the letter of the Court was evidently considered as swamping Mr. Morris' scheme, and he himself in the same memorandum to which I have above referred stated, that all that was requisite pending the second reference, which he proposed to make home, was that, *the Service should determine that only five Annuities should be declared available biennially.* The Service to this hour has never made any such declaration, and until such be made, the order of the Court, as conveyed in their letter of the 1st April 1840, must be held to be the Rule of the Fund, and Mr. Greenhill's Proposition as upholding and not altering that Rule, is therefore carried, even though the enormous majority in support of it falls short by four, of three fourths of the collective votes.

W. ESCOMBE.

Mr. Morris begs to hand in a Memorandum connected with the foregoing Proposition, which is allowed to be recorded,

Memorandum.

I beg to record the following Statement, (Appendix J.) as explanatory of the data on which the conclusion has been deduced that five Annuities biennially are sufficient to provide for the wants of the Service.

This Statement is divided into two portions.

The first division exhibits the state of the Service, as it was constituted on the 1st May 1825, when the New Annuity Fund was established, shewing the dates of arrival, the deaths, retirements on Annuities of £ 1000 and £ 250, and relinquishments of the Service, whilst the numbers, entered in the first column, denote the Members on the 1st May 1841, or sixteen years from the period of the commencement of the New Fund, who still remain in the Service.

The second division contains the like information in regard to the Members who have joined the Fund during the course of the sixteen years, down to the 1st May 1841, during which the New Annuity Fund has been in operation, with the deaths, and relinquishments of the Service which have taken place, the continuation of the numbers in the first column, completing the enumeration of the Members who composed the Service on the 1st May 1841, and determining its numerical strength under that date at 129.

By the Abstract annexed to the first division it will be seen, that agreeably to the prospect of Survivorship to be deduced from Table 8 of the Actuary's First Report, 86, and nearly one-third, Members, might be expected to complete twenty five years of Service, and 104, and more than a half, the period of sixteen years which the Fund has been in operation.—The actual result at the termination of sixteen years is

Annuitants of £ 1000 retired	25
Members remaining in the Service	53
	78

making therefore the number retiring and remaining less by 8, and nearly one-third, than the result to be expected from the Actuary's Table at the end of twenty five years, and less for the same period by 26, and more than a half.—In these deductions the Members, who have relinquished the Service, and those who have accepted the smaller Annuities, fourteen in number, have been excluded—but adding them in the comparison with the results obtained from the Actuary's Table, the actual effect would only give 5½ in excess of the Survivorship at the close of the twenty five years, whilst for the same period it would still exhibit a deficiency of 12, and more than a half, and thereby establish that the mortality in the Service had to that extent surpassed the expectation to be reckoned according to the Actuary's Table, and from which it is clearly to be inferred, that so far from overrating, it materially underrates the mortality which has taken place in the Service.

The like result will be found to exist in the second division, and nearly to the same extent, the average duration of existence being taken at eight years, since whilst the calculation made by the Actuary's Table would fix the Survivorship at 83, and a little more than one fourth, the actual result from one hundred and eight Members gives only 76, or a deficiency in the actual number of Survivors of 7, and a little more than one fourth. Of these three were occasioned by relinquishments, and which would reduce the actual difference to 4, and a little more than one fourth, and which with reference to the period to which the experience extends, would seem fully to bear out the deduction above set forth, that the Actuary's Table underrates, and not overrates the mortality.

Applying the results demonstrated in the first division to the question under consideration, in regard to the number of Annuities required for the wants of the Service, it will at once be apparent, that had the Scheme introduced by the Hon'ble Court remained unaltered down to the 1st May 1841, there would have been fifty Annuities available, for three Annuities annually for twenty five years giving seventy five, of which twenty five only had been appropriated, for fifty three Members remaining to claim them; but which number is further liable to be reduced by the risk to be undergone during the nine years which still remain before the whole number will have completed the prescribed period of twenty five years' Service—whilst the calculation includes the retirement of every Member of the Fund, who has completed his twenty five years, tho' it will be seen that on the 1st May 1841, as on the 1st May 1825, there were twelve Members eligible to take Annuities as far as residence and service were concerned.

It may be proper to state, that under the arrangement sanctioned by the Hon'ble Court for the grant of Annuities at one quarter value, seven of the Annuities have lapsed to the Fund prior to the 1st May 1841—by which the remaining number would be reduced to forty three.

By the Scheme under which five Annuities were to be granted biennially, if the same application be made to the results deduced on the 1st May 1841, there would be a total of Annuities declared during the twenty five years of sixty five, and consequently after the necessary deduction for the twenty five accepted during the sixteen years which have elapsed, the balance remaining would have been forty, again to meet the wants of fifty three Members under the circumstances above stated. To ensure however the grant of Annuities at one quarter value in perpetuity, and to prevent the sudden absorption of the Capital which was indispensable for the furtherance of the Scheme, it was provided that seven of these Annuities should be placed in abeyance, thereby reducing the number available to thirty three, to provide for fifty three Members who constituted the Society on the 1st May 1841, having claims to Annuities coming within the cycle of twenty five years on which the calculation bears. Is it unreasonable to suppose, looking to the experience which the by gone operation of the Fund affords, that that number will be found fully adequate ? and which only requires that ten Members should remain after the completion of their period of Service, and that the mortality which is to ensue during the nine coming years shall amount to a like number—without any allowance for Members relinquishing the Service or retiring on the smaller Annuities.

The annual averages of New Members, Annuitants, Deaths &c. during the last sixteen years may be stated as follows.

New Members sent out		6.75
Members retiring on Annuity of £1000		1.56
Deaths.		
Of the Members in the Service on the 1st May 1825	2.31	
Of the Members in the Service since 1st May 1825	1.81	
Total Deaths		4.12
Retirements on small Annuities, relinquishments, &c.		
Of the Members in the Service on the 1st May 1825	0.87	
Of the Members in the Service since 1st May 1825	0.19	
Total retirements		1.06

W. R. MORRIS.

14th December 1841.

It was next proposed by Mr. Willoughby, seconded by Mr. Webb, and unanimously adopted by the Meeting that the following Resolution be passed.

Proposed by Mr. Willoughby, and seconded by Mr. Webb, with the view of securing the Annuities which may be in arrear on the 30th April 1842, from lapsing to the Fund, under the proviso contained in the 5th para. of the Honorable Court of Directors' despatch, dated the 27th May 1835, that in the event of Mr. Escombe's amendment on the first Proposition passed at this Meeting not being carried ; or in the event of the reply of the Honorable Court of Directors, to the letter dated the 6th November 1840, submitting for their sanction the plan of five Annuities biennially proposed by Mr. Morris and adopted by the Service, not having been received on or before the 15th March 1842, the Annuities which may be in arrear on the latter date be considered available.

J. P. WILLOUGHBY.
R. T. WEBB.

The votes on the 2nd Proposition directed to be circulated at the last Meeting are then recorded.

Proposition 2nd.—That the Regulations of the Bombay Civil Fund do not specially provide for the case of the Widow and Children of a Member, dying while under suspension, and therefore that the Children of the late Mr. Grant, under such a liberal view of the case as becomes our Service, are entitled to such privileges and rights as they would have enjoyed, if their Father had died under ordinary circumstances.

	Pro ;	Con :
1 Ahmedabad	8	„
2 Ahmednuggur	1	3
3 Baroda	3	„
4 Broach	1	„
5 Bhooj	2	„
6 Belgaum	6	„
7 Bhopal	„	Not received. „
8 Candeish	4	„
9 Calcutta		Not received „
10 Calicut	1	„
11 Colabah	1	„
12 Dharwar	5	„
13 Kaira	3	„
14 Poona	3	6
15 Rutnagherrie		Not received. „
16 Sholapoor	5	„
17 Surat	2	1
18 Sawant Warrey	„	1
19 Tannah	4	1
20 Mahableshwur	1	„
	50	12

	Pro.	Con.
Brought over		12
From the Out-stations	50	
At the Meeting.		
Mr. Anderson.		
„ Babington.		
„ Corfield.		
„ Woodcock.		
„ Harrison.		
„ Gordon.		
„ Grant.		
„ Webb.		
„ Warden.		
„ Blane.		
„ Shaw.		
„ Elliot.		
„ Marriott.		
	13	
	63	8
		20

Mr. LeGeyt declines voting.

This Proposition is accordingly carried.

Mr. LeGeyt, seconded by Mr. Grant, gives in the following Proposition.

I propose that Section 3, Article IX be altered as follows.

That the personal interest of any Subscriber who may be suspended from the Honorable Company's Service, shall be in abeyance, but shall revive on his restoration, and if such Subscriber shall die during the period of his suspension, his Widow and Children shall be entitled to the full benefits of the Institution. If he be permited &c. as at present.

P. W. LEGEYT.

Seconded by me.

G. GRANT.

On which Mr. Reid, seconded by Mr. Willoughby, proposes the following Amendment.

I propose the following amendment to Mr. LeGeyt's proposition.
That after the word " suspension" shall be inserted the words "otherwise than by his own hand or act."

L. R. REID.

Seconded by me,

J. P. WILLOUGHBY.

and it is resolved that the Amendment and Proposition be sent for the votes of the Service.

Proposition the 2nd being carried, Proposition the 3rd is necessarily lost, and the votes of the Members present are not recorded on it.

Proposition 4th.—A doubt existing as to the position of the Families of Members belonging to the New Annuity Fund, being obliged to revert to an Annuity on the Old Fund in consequence of ill health, I beg to propose, as it can possibly make no difference to the Service at large, and would in fact render null that Clause in the Hon'ble Court's dispatch permitting this indulgence ; That the Families of such Members compelled to revert to the provisions of the Old Fund may not be debarred from the full advantages to which such Members have continued to subscribe during their residence in the Service.

	Pro :	Con
1 Ahmedabad	5	1
2 Ahmednuggur	4	„
3 Baroda	„	„
4 Broach	„	„
5 Bhooj	2	„
6 Belgaum	4	„
7 Bhopal	Not received	„
8 Candeish	4	„
9 Calcutta	Not received	„
10 Calicut	1	„
11 Colabah	„	„
12 Dharwar	2	„
13 Kaira	3	„
14 Poona	5	„
15 Rutnagherrie	Not received	„
16 Sholapoor	2	„
17 Surat	5	„
18 Sawunt Warrey	1	„
19 Tannah	5	„
20 Mahableshwur	1	„
	44	1
At the Meeting	21	0
	65	1

This Proposition is Carried.

Proposition 5th.—The settlement to be made with a Member, reverting to the Old Fund, but wishing to retain his rights on the Provident Branch of the Fund as far as his Wife and Children are concerned, is to be effected wholly from the contributi ns made to the Annuity Branch, leaving the Subscriptions to the Provident Branch untouched, but the latter being further increased by the adoption of the like course to that laid down for the smaller Annuitants on the New Fund, in Article 8, of the New Regulations.

	Pro:	Con:
1 Ahmedabad	7	„
2 Ahmednuggur	4	„
3 Baroda	„	„
4 Broach	„	„
5 Bhooj	2	„
6 Belgaum	1	„
7 Bhopal	Not received	„
8 Candeish	4	„
9 Calcutta	Not received	„
10 Calicut	1	„
11 Colabah	„	„
12 Dharwar	1	„
13 Kaira	3	„
14 Poona	5	„
15 Rutnagherrie	Not received	„
16 Sholapoor	2	„
17 Surat	4	„
18 Sawunt Warrey	1	„
19 Tannah	5	„
20 Mahableshwur	1	„
	41	0
At the Meeting	21	0
	62	0

This Proposition is carried.

Mr. Bruce intimates his intention of tendering his resignation as a Trustee, and requests that the following Minute may be recorded.

The General Meeting of this day having thought fit to pass a vote of censure on the Trustees in regard to a question in no wise affecting the interests of the Service, but wholly relating to the conduct of their own proceedings,—I should, after so signal a manifestation of want of confidence, have immediately resigned had I been an elected Trustee—but that course not being in my power as an Ex-Officio Trustee—and seeing no possibility under the existing Rules of the Fund of being entirely relieved of my trust—it only remains for me to state, that it is my intention for the future to abstain from taking any share in the management of the Fund.

Bombay, 14th December 1841. W. C. BRUCE.

The votes of the Qut-stations and at the Meeting having been taken for the election of Trustees during the present year in the room of Messrs. Bruce, Willoughby, Greenhill and LeGeyt, the election is declared to devolve on Messrs. Willoughby, LeGeyt, Webb, and Escombe.

An unanimous vote of thanks is passed to the Chairman.

Adjourned,

J. H. CRAWFORD,

Chairman.

APPENDIX A.

LETTERS AND MINUTES.

ON RESOLUTION 1st.

Minute dated 20th October 1841 by Mr. Crawford.

1. Notwithstanding I have very little hope, from the unusual haste in which I understand the votes from the Subscribers to the Civil Annuity Fund at Out-stations in favor of Mr. Greenhill's proposition of the 24th August last, to be pouring in upon the Secretary, that any observations submitted to the consideration of the Service at this time, will receive much attention, though I am still within the time fixed by the Secretary's circular letter of the 30th ultimo, for the receipt of such observations as Members of the Institution may desire to offer on the several Propositions brought forward at the General Meeting of the abovementioned date (24th August) *and circulation of the same for the general information of Subscribers before the votes on those Propoeitions are collected*, I deem it my duty as a former Trustee of the Civil Fund, connected with it as such to the 15th February last, and therefore a party to all the Proceedings of the Trustees up to that date, to place the following Statements and Remarks on record, in order that my fellow Servants in general may have the means of arriving at a correct knowledge of all that has taken place in respect to the New Annuity Scheme sanctioned by the Service on the 14th May 1839, and now the subject of discussion amongst its Members, and of correcting, in the case of any Subscribers who may have already transmitted their votes, to the Secretary, under an imperfect or mistaken apprehension of the real state of the question at present, the error into which they have incautiously been betrayed.

2. The Memoranda prepared by Mr. Morris, and to which the attention of the Service was called by thef Trustees, at the General Meeting of the Subscribers held at the Presidency on Tuesday the 8th January 1839, had in view amongst other objects therein particularized, that of "the more general participation of "the Service in the surplus capital, so that the Annuity should be secured to each Retiring Member at one "quarter value," and the mode in which this latter end is to be attained is stated in the printed Proceedings "of that day (Page 455.) to be as follows."

1st "The introduction of a New Scheme by which instead of six Annuities being declared available every "two years, only five Annuities are to be opened in that period, two in the first year, and three in the "second."

2nd "The temporary suspension of the seven Annuities which would have remained unappropriated on "the 1st May 1838, had this Scheme been in operation, but with the right on the part of the Service to re-"sume them should the augmented demand render such a step necessary, the amount of Fine being at the "same time increased from ¼ to ½ agreeably to the original Scheme."

3rd "The grant of 2 and 3 Annuities in alternate years at ¼ value so long as the temporary suspension of "the seven Unappropriated Annuities continues."

4th "The refund of the surplus contributions above the ¼ value paid by Members during the period that "the 3d Proposition is in operation."

3. The Trustees state that "they would refer for all details to the Memoranda drawn out by their Secre-"tary, and the calculations which accompany them, and which in their opinion satisfactorily prove the "adequacy of our resources to provide five Annuities in two years, at one quarter value, and which they "consider would amply suffice for the wants of the Service."

4. The Meeting proceeding afterwards to take into consideration the measures recommended for adoption in the Report from the Trustees, it was *unanimously* resolved (Page 459).

"That the recommendation of the Trustees in regard to the modifications to be introduced into the Annui-"ty Branch of the Fund, be submitted for the votes of the Service."

5. This having been done in due course, the votes from the Out-stations thereon, and of the Members present at the next General Meeting held on Tuesday the 14th May 1839, were found to be as follows (Page 474.)

Pro.		*Con.*	
From Out-stations.....	32	From Out-stations.....	12
At the Meeting.....	11	At the Meeting.....	0
	43		12

which being more than equal to a majority of three fourths, (and three fourths being the majority required by the Regulations) the Resolution was declared to be carried, eight (8) additional votes, viz. seven (7) from Ahmedabad, and one (1) from Bhopal, in favor of the Resolution (Page 756.) having been received subsequent to the Meeting of the 8th May 1839, vide Proceedings of the General Meeting of the 18th February 1840, (Page 745.) and Appendix A. thereto (Page 756, as above) the sense of the Service as shown in the number of votes forwarded to the Secretary, though all were not received in time to have effect at the Meeting abovementioned (14th May 1839) exhibits an actual majority of 51 to 12, or more than four fifths of those, who desired to record their sentiments on the subject of the proposed change.

6. In these last mentioned Proceedings (18th February 1840) the Trustees inform the Meeting (Pages 745, and 746) that "having in accordance with the Resolution passed at the last General Meeting handed "up to Government the necessary Documents and Statements for transmission to the Honorable Court, "connected with the Annuity Fund, to enable the Home Authorities to judge of the effect produced by the "temporary modifications sanctioned, and urged the adoption of the proposed permanent alterations which "had met with the concurrence of the Service, they beg to submit the reply received from Mr. Acting Chief "Secretary Reid, under date the 28th May preceding, stating that they" (the Documents and Statements above mentioned) "will be forwarded to that authority, with the strong recommendation of Government, that "the plan proposed may be adopted" (Appendix D. Page 759.)

Proceeding onwards to the next General Meeting of Subscribers to the Civil Fund, held at the Presidency on the 3rd November 1840, the following Paragraph will be found in the Summary of the Proceedings of the Trustees since the 18th February 1840, submitted to that Meeting (Page 804.)

9th. "With reference to the Dispatches from the Honorable Court dated 27th May 1835, and 30th March "1838, published with the Proceedings of the General Meetings held on the 8th December 1835, and 8th Ja-"nuary 1839, the Trustees have to submit another Dispatch from the Hon'ble Court dated the 1st April last,

" (i. e. 1840) received with Mr. Chief Secretary Reid's letter of the 23rd May following, sanctioning the fur-
" ther continuance of the experimental plan now in operation, as regards the grant of Annuities, at one
" quarter value for two additional years or until the 30th April 1842. (Appendix M.) Connected with this

APPENDIX M.

No. 350 of 1840.

TERRITORIAL DEPARTMENT,

FINANCE.

To,

THE TRUSTEES OF THE CIVIL FUND.

Gentlemen,

With reference to your letter dated the 15th May 1839, I am directed by the Hon'ble the Governor in Council to transmit for your information, the accompanying copy of a letter (No. 4) from the Hon'ble the Court of Directors, dated the 1st ultimo, sanctioning the continuance, until the 30th of April 1842, of the experimental plan now in operation, and desiring to be furnished with certain Statements formerly called for by them, and to request that you will furnish the required Statements with as little delay as possible.

I have to honor to be,
Gentlemen.
Your most obedient Servant.
(Signed) L. R. REID,
Chief Secy.

Bombay Castle, }
23d May 1840. }

No. 4 of 1840.

FINANCIAL DEPARTMENT.

OUR GOVERNOR IN COUNCIL.

at Bombay.

Letter from, dated 29th May 1839.

Forwarding Letter and Statements from Trustees of Civil Annuity Fund.

We abstain at present from making any remark upon the Statements forwarded from the Trustees of the Civil Annuity Fund, as we have determined to sanctionthe further continuance of the experimental plan now in operation until the 30th April 1842, in the mean time we desire that we may be furnished annually,and at the earliest practicable period, with such Statements as were required by our former orders on the subject.

We are, &c.
(Signed) R. JENKINS,
&c. Court of Directors.

London, }
the 1st April 1840. }

(True copy.)
(Signed) L. R. REID, Chief Sec. to Govt.

To,

The Honorable Sir JAMES RIVETT CARNAC, Bart.
Governor and President in Council.

Honorable Sir,

Adverting to our letter of the 15th May 1839, in which we submitted the result of certain Resolutions adopted by the Service bearing upon the Annuity Branch of the Civil Fund, with a view to introduce a general and permanent amelioration in its conditions, and which we urgently requested might be laid before the Hon'ble Court of Directors to obtain their sanction and approval, we beg most respectfully to represent, that as by Mr. Chief Secretary Reid's letter of the 23rd May last, with its accompanying dispatch from the Hon'ble Court of the 1st April preceding it appeared that the Resolution adopted by the Service had not been taken into consideration, it was determined at a General Meeting of the Subscribers to the Fund held on the 3d instant,that the Trustees should again solicit the attention of your Honorable Board to the subject, and intreat the favor of the requisite measures being taken for an early consideration of the question by the Hon'ble Court, in order to a decision being passed on it.

We beg accordingly to prefer this request, and to add a repetition of our reliance, that the good offices of your Honorable Board will be employed for the attainment of a decision in accordance with the wishes of the Service.

We have the honor to be,
Hon'ble Sir,
Your most obedient and humble Servants.
J. H. CRAWFORD.
JOHN WILLIAMS.
W. C. BRUCE.
L. R. REID.
J. PYNE.
J. P. WILLOUGHBY.
P. W. LEGEYT.
W. R. MORRIS.
Secretary.

" subject they have also to lay before the Meeting a Me-
" morandum by their Secretary, recalling the attention of
" the Service to the Resolution passed at the Quarterly
" General Meeting of the 14th May 1839, urging an ad-
" herence to the modification therein proposed, and the
" adoption of further measures to ensure their sanction by
" the Honorable Court (Appendix N.)

7. And we have also the following Resolution recorded on the Proceedings of that day (Page 809.)

" The Meeting further resolves with reference to the
" 9th Paragraph of the Report, that the Trustees be re-
" quested to repeat the representation to Government, and
" to solicit that the consideration of the subject may be
" urged upon the early attention of the Home Authori-
" ties, with the view to a final decision being passed."

8. The renewed representation referred to above, was submitted to Government in a letter from the Trustees to the Honorable the Governor in Council dated 6th November 1840, vide Appendix K. to Proceedings of the General Meeting of the 24th August last (Page 953) and also copy thereof in the margin, and I have ascertained, though the same is not recorded in our printed Proceedings, that an answer was returned by Mr. Chief Secretary Reid on the 8th December 1840, acknowledging the receipt of the Trustees' letter, and stating " that a communication will be made" to the Honorable Court by the next Overland Mail (1st January 1841) requesting an early decision on the Resolutions submitted with the Trustees' letter of the 15th May 1839.

9. The foregoing Extracts contain, as far as a careful and attentive examination of our Records will enable me to understand the Proceedings of the Service in this matter, from its first agitation in the year 1838 | 39, to the present time, a correct detail of all that has taken place on the subject under discussion, and which is now pressed on its consideration, in a new form in the Resolution proposed by Mr. Greenhill at the General Meeting of the 24th August last, and the following will be found, I believe, an equally accurate Statement deduced from the Extracts in question of those portions of the Proceedings of the Service, which bear more immediately on the question involved in that Resolution.

First. That the Service by the required majority of three fourths of the votes recorded in due season (and more, viz. 43 to 12) decided that the recommendation of the Trustees in regard to the modifications in the Annuity Branch of the Fund as recorded in the Proceedings of the General Meeting of the 8th January 1839 should be adopted. One of the modifications in question being that the seven Annuities which would have remained unappropriated on the 1st May 1838, had the proposed scheme of five Annuities in two years at quarter value been then in operation, should be temporarily suspended, but with the right on the part of the Service to resume those seven Annuities, should the augmented demand render such step necessary, *the amount of fine being at the same time increased from one quarter to one half agreeably to the original scheme.*

Secondly. That the necessary Documents and Statements were duly handed up to Government, by the Trustees for transmission to the Hon'ble Court, to enable the Home Authorities to judge of the effect of the temporary modifications sanctioned by the Service, and that Government informed the Trustees in Mr. Acting Chief Secretary Reid's letter of the 28th May 1839, that the said Documents and Statements would be forwarded to the Honorable Court with the strong recommendation of Government, that the plan proposed may be adopted.

Thirdly. That those documents &c. were so forwarded in a letter from the Government to the Honorable Court of the 29th May 1839, and to which letter a reply dated 1st April 1840, was received by the Honorable the Governor in Council in the early part of the following month, (May 1840) stating that the Hon'ble Court abstain *at pre-*

sent from making any remark upon the Statements forwarded from the Trustees of the Civil Fund, as they have determined to sanction the further continuance of the experimental plan now in operation, until the 30th April 1842, the Hon'ble Court in the mean time, desiring to be furnished annually, and at the earliest practicable period, with such Statements as were required by their former orders on the subject.

Fourthly. That this being the only notice taken of the representation made by the Trustees to the Honorable the Governor in Council on behalf of the Service, up to the 3rd November last (1840) the Subscribers to the Civil Fund, present at the General Meeting held on that day, requested the Trustees to repeat the representation to Government, and to solicit that the consideration of the subject may be urged upon the attention of the Home Authorities, *with the view to a final decision being passed.*

Fifthly. That this renewed representation was made to Government by the Trustees on behalf of the Service in a letter to the Honorable the Governor in Council dated three days after the General Meeting, viz. on the 6th November 1840.—And an answer returned thereto in Mr. Chief Secretary Reid's letter of the 8th December stating, that a communication would be made to the Hon'ble Court by the next Overland Mail (i. e. 1st January 1841) requesting an early decision on the Resolutions, submitted with the Trustees' letter of the 15th May 1839.

And lastly.—It may be added as a fact within the knowledge of all Subscribers to the Civil Fund at the Presidency I believe, that no further communication has been received by the Trustees from Government, or by Government from the Hon'ble Court connected with the Annuity Scheme at quarter value, sanctioned by the Service on the 14th May 1839, up to the present date.

10. It is upon the foregoing data, that the following Extract from Para. 5 of the Summary of the Proceedings of the Trustees since the General Meeting of Subscribers held on the 3rd November 1840, read at the General Meeting of the 24th August last, viz. "The Trustees think it right to state for the information " of the Members, that as sanctioned by the Hon'ble Court, there are nine Annuities available at one quar- " ter value, and three Annuities for the year 1841, available at one half value. By the Resolution of the " 14th May 1839, there are two Annuities now available and two commencing from the 1st May 1842, the " eight opened since the 1st May 1838, having been taken," that Mr Greenhill founds his opinion that the manner in which the number of available Annuities as announced by the Trustees is calculated to mislead the Service as to the meaning of the Trustees, and in causing embarrassment to some to interfere with early resignations and expected promotion, and writes in his Second Minute of the 24th August last (Page 930) as follows:

"But it is clear that two Schemes cannot be rightly in operation. The one or the other must be void, and " it would seem a simple matter to say which is not in force, and which is. One plan has been solicited " by the Service and received the sanction of the Honorable Court to have effect till the 30th April 1842. " The other was a *proposition* made in 1839, which far from being sanctioned, has been superseded by that " now in operation. That which *has been sanctioned* (and which it may be elucidatory to remark received " the Court's approval to have effect till April 1842, *after* the other Proposition had been submitted to " the Hon'ble Court) is the one under which the Report of the Trustees states, *there are nine Annuities* " *available at ¼ value and three at ½ value*, and it thus appears sufficiently evident, that the number of An- " nuities which ought to be declared as available at ¼ value, according to the Trustees' statement, is the said " nine Annuities at ¼ value, and three at ½ value."

11. The real question for decision seems to me to be, whether the *Proposition* as it is termed by Mr. Greenhill, or new Scheme, according to the designation of the Trustees and the Service, submitted for the sanction of the Hon'ble Court in 1839, has or has not been superseded by their orders of the 1st April 1840. And on this point I must be permitted to express an opinion differing altogether from the one which Mr. Greenhill has recorded.

12. The plan which Mr. Greenhill declares to have been solicited by the Service and received the sanction of the Hon'ble Court to have effect till the 1st May 1842, was equally in operation, but for a less extended period, viz. to the 1st May 1839, when the Trustees proposed on the 8th January 1839, and the Service sanctioned on the 14th May following, the adoption of the New Annuity Scheme for five Annuities at quarter value every two years, and authorized the temporary suspension of the seven Unappropriated Annuities necessary to carry that Scheme into effect, should it eventually receive the sanction of the Home Authorities.

13. The (New Annuity) scheme for the realization of which the said seven Annuities were temporarily suspended was before the Hon'ble Court, when their orders of the 1st April 1840 were issued, and the Members of the Court were fully aware that under the past operation of the plan for the absorption of surplus Annuities at quarter value, to which those orders gave two years further extension,* seven Annuities had been set aside for the purpose of carrying the New Scheme into effect, should they see fit to sanction it eventually, and the Hon'ble Court must, I conceive, have been fully prepared for the continued reservation of that number of Annuities until the distinct approval or disapproval, of the Scheme in question by the Home Authorities should be communicated to this Government, and by it to the Trustees for the information of the Service at large.

14. That such was the interpretation given to the orders of the Hon'ble Court of the 1st April 1840 by the General Meeting of Subscribers held at the Presidency on the 3d November 1840, and the consequent conclusion of those Subscribers that matters stood *then*, as they did on the 1st May 1840, in respect to the New Annuity Scheme, and if so standing *then*, still standing at this time, is placed beyond doubt by the renewed representation which they requested the Trustees to make to Government, *soliciting that the consideration of the subject might be urged upon the early attention of the Home Authorities, with the view to a final decision being passed.*

15. This it may be said, was the act of only a portion of the Service, and that the Members present at the Meeting in question may have been wrong in the interpretation given to the orders in question, which in the opinion of others, do as Mr. Greenhill contends, supersede the Scheme submitted to the Hon'ble Court in 1839, and therefore set all further consideration of that Scheme aside.

16. But what do the Court themselves in reality say respecting that Scheme. That they abstain at *present* from making any remark upon the Statement forwarded from the Trustees of the Civil Annuity Fund, as they have determined to sanction the further continuance of the experimental plan now in operation until the 30th April 1842,—continuance, I must again contend, according to the plan adopted by the Trustees and the

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Note.—* The Hon'ble Court's plan for the absorption of Surplus Annuities at ¼ value was extended from the 1st May 1839 to the 1st May 1840, by their orders of the 20th March 1838, and it is in consequence of this extension of the original concession for one year, that the second extension of the 1st April 1840 carries on that concession to the 1st May 1842.

Service as then known to the Hon'ble Court, for it is clear to me, that by affixing even an indefinite limit to the period during which they would abstain from offering any remarks on the New Scheme submitted to them with this Government's letter of the 15th May 1838, they sufficiently evince their intention of taking up the subject at some future period to authorize the conclusion, that the plan is not considered by the Hon'ble Court to be finally disposed of, and to justify the further reference made to them in November last, six months after the receipt of their orders of 1st May 1840, by the Trustees, and which as it has not yet been noticed, ought, I think, to be repeated before measures are adopted by the Service, which must prevent the carrying out the plan of 1839, hereafter, should it contrary to the expectation and wishes it would now seem, of a larger portion of the Service than formerly opposed it, be eventually sanctioned by the Hon'ble Court.

17. I need hardly, I fancy, add, after what I have already written, that I consider seven of the Unappropriated Annuities at quarter value, noticed by the Trustees in the Summary of their Proceedings read at the General Meeting of the 24th August last, to be pledged by the deliberate act of more than three fourths of the Service to a Scheme still under the consideration of the Home Authorities, and which cannot be otherwise disposed of without a direct breach of faith on the part of the Service towards the Hon'ble Court until the specific acceptance or rejection of the New Annuity Scheme has been announced to this Government by the Hon'ble Court. And I have the less hesitation in pressing this view of the present question on the consideration of those who may take the trouble to read this Minute, because I think the real interests of the Service, and the respect due to the Hon'ble Court, will be best maintained by awaiting the final decision of the Home Authorities on the subject. And which, as I have already stated, may be again solicited, and with all the urgency that the case seems now to demand.

18. If the decision of the Hon'ble Court should be in favor of the New Scheme for five Annuities every two years, and the Service determine after full and deliberate consideration, that *that* Scheme is not, as it was supposed to be formerly, beneficial to the Service at large, it can be set aside by the Service, in the same manner that it was adopted in the first instance, viz. by a majority of three fourths. Whilst it will at once fall to the ground if the decision of the Hon'ble Court should be adverse to its introduction, and the seven Annuities now held in temporary suspension, be immediately available for the purposes of Retiring Members in the manner which Mr. Greenhill contends, was in the contemplation of the Hon'ble Court, when their orders of the 1st April 1840 were penned.

19. Unless therefore the Service at large, or the requisite majority of it is disposed to withdraw these Annuities at once from the position in which they have been placed since the 14th May 1839, when the Service determined to submit the New Scheme for the sanction of the Hon'ble Court, and to say that the Home Authorities have unequivocally rejected its repeated solicitations on the subject, thereby leaving no means at command for carrying out the former views of the majority and the possible views of the Hon'ble Court, should they, contrary to the foregoing opinion, be found still to have the subject under consideration, I would earnestly press upon my fellow Servants the propriety of such further delay in the appropriation of the seven Annuities in question, as shall admit of an answer being received to a further and last representation to the Hon'ble Court, determining if necessary, that the non-arrival of such reply by a certain given date, shall be held to be a rejection of the New Annuity Scheme by the Home Authorities, and in this view of the case, and attainment of the delay in question, I must of course ask their concurrence in the constructions I have given to the Honorable Court's orders of the 1st April 1840, and the rejection of the dictum advanced by Mr. Greenhill, that the Scheme of 1839, has been superseded by those orders, and in consequence been finally disposed of at Home.

20. Whatever may be the decision of the Service on the Resolution proposed by Mr. Greenhill, my interests cannot, as my fellow Servants are aware, be affected by it, but I am nevertheless anxious to prevent them, if possible, from being hurried away to conclusions and votes, which their more sober judgment may condemn, and I shall therefore, I am sure, be excused for the length into which I have unexpectedly been drawn in endeavouring to place the facts of this case, at least plainly and honestly before them, and offering such observations to their notice, as those facts seem to me to warrant in elucidation of matters which I have reason to know, have not been always correctly understood of late.

21. I will only add in conclusion, that I have purposely abstained from entering upon the merits or demerits of the plan for giving five Annuities to the Service every two years, at quarter value, considered as a financial measure accelerating or retarding promotion, because I deem the discussion of those questions premature at this time. If the Service shall determine that a final answer has not yet been received from the Hon'ble Court, and the decision of that high authority be in favor of that Scheme, its beneficial or prejudicial effects on individual interests and on promotion will be a fit subject for investigation when its repeal is called for. If on the other hand the Service determine that the Honorable Court have finally decided the question, or the Court reject the Scheme, then all further financial inquiry will be unnecessary, as the whole of the seven suspended Annuities will, as stated in Para. 18, be set at liberty, and expectant Annuitants be supplied with Annuities to the utmost extent the Funds of the Institution will permit.

Bombay, 20*th October* 1841. J. H. CRAWFORD.

Letter dated 11th October 1841 from Mr. Elliot.

To,

W. R. MORRIS Esq,

Secretary to the Civil Fund.

Bombay.

SIR,

In acknowledgment of your letter dated 30th ultimo, with accompaniments, I have the honor to intimate to you, my entire concurrence in the sentiments expressed by Mr. Greenhill, in his Minutes at the late Meeting of the Members of the Civil Fund respecting the Annuities.

I have the honor to be,
Sir,
Your most obedient Servant,

Surat, 11*th October* 1841.

G. L. ELLIOT,
Civil Service.

Letter dated 9th October and Minute dated 5th October 1841 by Mr. Vibart.

To,

W. R. MORRIS Esq.
Secretary to the Civil Fund,
Bombay.

SIR,

I have the honor to request the enclosed Minute may be circulated to the Service when Mr. Greenhill's Proposition is submitted for the votes of the Members.

Yours obediently.
J. VIBART.

Poona, 9th October 1841.

Minute by Mr. Vibart.

The act of the Trustees in setting aside the plan *sanctioned* by the Hon'ble the Court of Directors for the disposal of the Surplus Annuities up to the end of April 1842, and bringing into operation in its stead the *unsanctioned* Proposition of Mr. Morris, appears to me so completely opposed both to justice and the interests of the Service, that I cannot doubt for one moment its immediate rejection when the votes of the Service are taken on Mr. Greenhill's resolution.

The Trustees' Proposition may no doubt find a few supporters in the Senior Members of the Service, who hold the highest Situations, and to whom Promotion is of no earthly consequence, and whose intention it is to retire a very few years hence. An Annuity at one quarter value, instead of one half, is an object to Members so situated, accelerated promotion useless.

No Junior Member of the Service, or one not at the head of an Office will, I trust, commit the suicidal act, of voting for the Trustees; they cannot surely be so blind to their own interests.—Suppose the plan now contemplated by the Trustees be carried, what will the Junior part of the Service gain? nothing—but they lose every thing in the stagnation of promotion that will thereby ensue.—There can be no doubt but that the interest of the Senior and Junior Members of the Service are at direct variance on this point—to the former, cheap Annuities are every thing, whilst promotion, be it quick or slow, is of no consequence—To the Juniors promotion is every thing, the eventual price of the Annuity, nothing—the delay of one year to any Member, in his promotion to the head of an Office occasions to him a greater loss than the difference between one quarter and one half value of the Annuity—Recollect the loss of promotion, is a certain loss—Any thing to be gained by Mr. Morris' plan in the reduced price of the Retiring Annuity, uncertain and improbable—the plan for which you are called upon to sacrifice so much present and certain good, is only intended to remain in force, pro tempore, that is, as long as the supply of the reduced Annuities is equal to the demand—this may answer the purpose of a few Seniors, but can never beneficially affect the majority of the Service.

How long this temporary measure of Mr. Morris is likely to last we may judge from the result of the first year's trial which has in my opinion, already failed—there are three Annuities for the year 1841—one has been taken, and there are now four Members ready to retire, two only of whom can get the Annuities, the other two being obliged to remain in the Service,—here then two steps are lost in the first year—in the following year matters will be worse, the applicants for Annuities will be at least six—available two—the crisis then has already arrived, as justly remarked by Mr. Greenhill, or will at the next season at furthest, and for this plan we are called upon to relinquish a large amount of Annuities for ever.

I earnestly hope that my fellow Servants will not throw away the substance by grasping at the shadow, for nothing but a shadow will Mr. Morris' plan prove to the majority of the Service.

J. VIBART,
Civil Service.

Poona, 5th October 1841.

Letter dated 11th October 1841 by Mr. Vibart, and Minute dated 8th October 1841 from several Members at Poona.

To the Secretary Civil Fund,

SIR,

Bombay.

I beg to enclose a Resolution signed by the Civil Servants at Poona, expressive of their unqualified disapproval of the Trustees' Proceedings in regard to their stoppage of the ¼ value Annuities.—You will be pleased to lay this paper before the Trustees, and circulate it with Mr. Greenhill's Proposition when it is submitted for the votes of the Service.

Your's obediently.
J. VIBART,
Senior Civil Servant at Poona.

POONA, 11th.

Minute.

We, the undersigned Members of the Civil Service have read with surprise the Resolution of the Trustees for stopping the Annuities now in arrears, and which, under the sanction of the Hon'ble the Court of Directors, are available to any Member, at one quarter value, retiring from the Service previous to the 30th April 1842, and being fully convinced that the supercession of the plan sanctioned by the Court, and the introduction in its stead of that proposed by Mr. Morris, is likely to inflict the greatest injury on the Service generally; we beg to record our unqualified disapproval of the Trustees' Proceedings, who we conceive, should at once declare the Court's plan to be in operation.

JOHN VIBART.
A. BELL.
RICHARD MILLS.
P. SCOTT.
C. M. HARRISON.
J. BUCHANAN.
J. N. ROSE.
H. B. E. FRERE.
P. STEWART.

Poona, 8th October 1841.

Letter dated 6th October and 7th September 1841 from Mr. E. B. Mills and several Members at Dharwar.

To,

W. R. MORRIS Esq.

Secretary Civil Fund,

SIR, *Bombay.*

With reference to Para: 1st of your letter of 30th ultimo, and its accompanying copy of Proceedings, and adverting also to your communication of 18th ultimo, we have the honor to request that copy of a letter we forwarded to your address, under date 7th September, may be circulated for the general information of the Subscribers before the votes on the Resolution proposed by Mr. Greenhill are collected.

We have the honor to be,
SIR,
Your most Obedient Servants,

E. B. MILLS,
J. W. MUSPRAT,
J. H. PELLY, JUNIOR.
H. E. GOLDSMID.
T. C. LOUGHNAN,
J. S. D. DEVITRE,
A. N. SHAW,
A. CAMPBELL.

Southern Mahratta Country, 6th October 1841.

To,

W. R. MORRIS Esq.

Secretary Civil Fund.

SIR, *Bombay.*

We the undersigned Members of the Bombay Civil Service have heard, that it is proposed to give immediate effect to your suggestions, that only five (5) Annuities should be declared available biennially, and that the Annuities which have already accumulated, (twelve* we believe in number) should merge into the general Fund.

Your suggestions, if adopted, will hold three (3) Annuities† available for the present year 1841 | 42, and two (2) for the next year 1842 | 43.

Of those available for the present year, one (1) is, we understand, to be considered as having been taken by Mr. Dunlop on 1st June 1841, leaving only two disposable.

The following Gentlemen will, it is understood, apply for Annuities this year, viz.

Mr. VIBART.
„ R. MILLS.
„ E. B. MILLS.
„ D. GREENHILL.

And there may also be others, either amongst Absentees or those in this Country, who may be willing to retire.

We have also before us the names of four (4) Gentlemen who may be considered as intending to retire next year, and probably there are others.

Thus, during the very two first years of your plan being brought into operation, will the Service be deprived of many valuable steps, and, if even, on the third year, Annuities are available for those whom the introduction of your Rule now disappoints, there will be none to spare for their Juniors, who, we have every reason to believe, will, by that time, wish to resign the Service. But it is not to be supposed that these disappointed applicants *will* be able to retire on the 3d year, for their Seniors who, do not at present wish to resign, will, by that time, want their Annuities and, consequently, many of those prevented, by the adoption of your plan, from now retiring will be kept in the Service until they have reached a standing, which will entitle them to fill the highest situations and induce them to determine on remaining for an indefinite period.

We, thus, find that the adoption of your suggestions would be a most serious evil, to the Service at large, by checking promotion in every grade.

It now remains for us to consider what can possibly be urged in favour of a Scheme which will, in its working, clog promotion and be found so very prejudicial to the interests of the Service.

From your Memorandum of 9th October 1840,‡ we learn that you are of opinion that the adoption of your plan will 'render the advantage of Annuities, at one quarter value, of permanent, rather than of temporary, 'duration—for its adoption will do away with the risk, now incurred, of a sudden and great demand for 'Annuities, absorbing the surplus capital which has accumulated, and rendering unavoidable a return, to the 'former condition of half value.'

You, here, appear to anticipate that, for so long as there are any surplus Annuities, the Court will continue to us the boon of Annuities at one quarter value. We, relying equally with yourself, on the justice and liberality of the Court see no reason to doubt this conclusion.

Now, we have every reason to believe that there always will be some surplus Annuities for, if even during the next four or five years, four or even five Annuities are, annually, taken, neither past experience, nor

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* 13 Annuities available on 3d November 1840, vide Para. 11 of Summary of Proceedings.
1 Deduct that taken by Mr. Williamson.

12 Balance.

† Vide para. 11 of Summary Proceedings, read at Meeting of the 3d November 1840.

‡ Appendix N. to Proceedings of 3rd November 1840.

prospective calculation, lead us to anticipate otherwise than but, at the end of those four or five years, Annuities will continue to accumulate.*

But admitting, even, for the sake of argument, that unless your suggestions are adopted, the demand for Annuities will be so heavy, that the whole of the surplus Annuities will be absorbed, and further accumulations prevented. We would with all deference to your judgment, beg to point out, that the adoption of a plan, which will prevent such a demand, must, of necessity, entail a very heavy pecuniary loss on the many Members of the Service whose promotions will be retarded.

We, the undersigned nine Members of the Bombay Civil Service, therefore request.—

Firstly. That this letter may be forwarded, with the Proposition, which we understand, it is in contemplation to submit to the Service, for immediately introducing your plan.

Secondly. That it may be, *at once*, declared that the proposition, even if carried, is not to affect the applicants, for this year. For we have every reason to fear that ,unless this be, *forthwith*, declared, the uncertainty which must prevail, until the votes of the Service are received, will cause some of the expectants to abandon their intention of retiring during the present year.*

If the Trustees are of opinion that the foregoing two requests cannot be complied with until they have been discussed at a General Meeting, we beg, with reference to Section IX of Article IV. of the New Rules and Regulations, that a Special General Meeting may be *forthwith* convened at the Presidency.

We have the honor to be,
Sir,
Your most obedient Servants,

Dharwar, 7th September 1841.

E. B. MILLS,
P. W. LEGEYT,
J. W. MUSPRATT,
A. N. SHAW,
A. CAMPBELL,
H. E. GOLDSMID,
T. C. LOUGHAN,
J. H. PELLY,
J. D. DEVITRE,
Members of the Bombay Civil Service and Subscribers to the New Annuity Fund.

Letter and Minute dated 17th October 1841 from Mr. Glass and other Members at Ahmednuggur.

To,

W. R. MORRIS Esq.
Secretary to Bombay Civil Fund.

SIR,

Adverting to the Minute and Proposition by Mr. Greenhill, published with the Proceedings of a General Meeting of the Subscribers to the Civil Fund held at the Presidency on the 24th of August last, we request that you will have the goodness to lay the accompanying Minute before the Trustees.

We are,
Your most obedient Servants,

Ahmednuggur, 17th October 1841.

„ H. H. GLASS,
„ H. A. HARRISON.
„ J. WEBB.
„ A. A. C. FORBES.

Minute.

It appears to us the undersigned, that those Members of the Civil Service who are qualified, and who choose to resign the Service prior to the 30th April next, until which date the plan sanctioned by the Court of Directors is in force, are entitled to Pensions at one quarter value from the nine (9) Annuities available, and that it would be inexpedient to reserve them.

Ahmednuggur, 17th October 1841.

„ H. H. GLASS,
„ H. A. HARRISON,
„ J. WEBB,
„ A. A. C. FORBES.

Letter dated 15th October 1841 from Mr. Greenhill and Minute from Members at Rutnagherry.

To,

W. R. MORRIS Esq.
Secretary to the Civil Fund,
Bombay.

SIR,

I have been requested to hand you the enclosed Minutes, and accompaniment, with the Proposition regarding the Annuities, and

I have the honor to be,
Sir,
Your most obedient Servant,
D. GREENHILL.

Bombay, 15th October 1841.

* Just at this particular period there are a number of Civilians ready or nearly ready to retire, in consequence of our acquisition of the Paishwa's territories, having caused a large influx of Civilians, at the same time. But, it must be borne in mind, that, for some years subsequent to 1822, merely the ordinary number of Civilians were sent out—and, consequently, that an estimate, as to the average number of Annuities likely to be required each year, subsequent to the next 4 or 5 years, should not be based on a return of the number of retirements which will probably take place during those 4 or 5 years.

Minute by Mr. Elphinston.

My reason for voting against Mr. Greenhill's Proposition is, because I agree with Mr. Morris in thinking that it is more to the advantage of the Service in general, that the granting of Annuities at quarter value should be a permanent arrangement, (whereby every one in his turn would be benefitted,) rather than appropriating the surplus Funds in the distribution of Annuities at that value to those who may be entitled to retire before May 1842.

The difference between 3 Annuities annually, or 5 biennially, being declared available, is so small, compared with the advantage of retiring on the quarter Subscription, that I do not apprehend it would entail disappointment on the Service.

A. ELPHINSTON.

Minute by Mr. Hunter.

I differ with the above Minute in toto and am altogether opposed to any sinking of Annuities, being of Mr. Pringle's opinion, that five biennially will hereafter prove insufficient. I vote for Mr. Greenhill's Proposition, because I consider 9 Annuities at one quarter value are available up to the 30th April 1842, and cannot in justice be withheld from any qualified applicant until that time, and also because I think the plan sanctioned by the Honorable the Court of Directors calculated to secure some slight promotion, whereas the interference proposed would have a countrary effect.

W. J. HUNTER.

Minute by Mr. Hadow.

I entirely concur in the above remarks of Mr. Hunter, and for the same reasons that are given by that Gentleman I have voted for Mr. Greenhill's Proposition. If I could bring myself to believe that the Service in general would eventually be benefited by Mr. Morris' plan, I do not think I should be inclined to vote in its favor, as it strikes me I should by so doing, be lending my hand to the infliction of an immediate act of injustice towards a few, for the sake of a prospective benefit to a greater number, and if in this supposition I should be in error, I should still be inclined to pause before I consented to the relinquishment of what we *now* hold *fast* for the chance of what the *future* might have in *store* for us.

J. W. HADOW.

Minute by Mr. Forbes.

Agreeing entirely with the remark of Mr. Hunter, that "9 Annuities of one quarter value are available "up to the 30th April 1842, and cannot in justice be withheld from any qualified applicant until that time," and considering that the Proposition of Mr. Greenhill will be productive, not only of immediate benefit, by enabling "qualified applicants" to retire on Annuities of one quarter value, thereby giving promotion to the Service, but also of future good to the Juniors of the Service; I therefore support and vote for Mr. Greenhill's Proposition.

C. FORBES.

Letter dated 16th October 1841 from Mr. Greenhill, and Minute without date from several Members at different Stations.

W. R. MORRIS Esq.

Secretary to the Civil Fund,

Sir, *Bombay.*

The enclosed having been transmitted to me for the purpose of being forwarded for circulation to the Service along with my proposition, I have the honor to hand it to you, and to be,

Sir,

Your most obedient servant.

Bombay, 16*th October* 1841. D. GREENHILL.

Minute.

To,

THE SECRETARY TO THE CIVIL FUND.

Sir, *Bombay.*

We, the undersigned, having seen in a recent Paper, a letter signed by the Civil Servants of Dharwar and Belgaum, on the subject of giving *immediate* effect to your Propositions for five Annuities biennially in future, and allowing those now accumulated to merge into the General Fund, request you will favor us by making known to the Trustees OUR dissent to this measure, from a feeling that it will greatly retard promotion and be a source of much injury generally to the Service, and that rather than consent to such measure, we would gladly revert to the original terms on which our Annuities were given by the Honorable Court, namely, paying their ½ purchase.

2. Should your Proposition be carried by a majority of the Service, we request that our names may be added to those of the Dharwar and Belgaum Civilians, in their suggestion, that it should not affect the applicants of the present year, for the reasons assigned in their letter.

We have the honor to be,
Sir,
Your most obedient Servants,

G. L. ELLIOT,
J. W. LANGFORD,
W. SIMSON,
A. C. STUART,
J. D. INVERARITY,
C. J. ERSKINE,
A. W. JONES,
F. SIMS,
N. KIRKLAND,
R. MORGAN,
R. KEAYS,
W. C. ANDREWS,
E. W. BURTON,
T. H. TALBOT,
C. G. PRENDERGAST,
H. STRACEY,
G. COLES,
J. H. JACKSON,
S. MANSFIELD.

Letter dated 18th October from Mr. Greenhill, and Letter and Minute dated 4th October 1841 from Mr. Pringle.

To,

THE SECRETARY TO THE CIVIL FUND,
Bombay.

SIR,

In forwarding the accompanying Minute and Letter from Mr. Pringle, I regret that in consequence of references from that Gentleman, it has not been in my power to hand it to you for circulation to the Service, till now.

I have the honor to be, Sir,
Your most obedient Servant.
D. GREENHILL.

Bombay, 18th October 1841.

To,

W. R. MORRIS Esq.
Secretary Civil Fund.

SIR,

With reference to the 1st Para. of your letter of the 30th ultimo, I have the honor to inform you that, previous to the receipt of it, in consequence of private intimation I had received of the nature of the subjects under consideration at the last General Meeting, I had written some remarks in the shape of a Minute on the question brought forward by Mr. Greenhill, and forwarded them to that Gentleman, whom I have now requested to transfer them to you, for the purpose of being circulated with his Proposition, for the votes of the Service.

I have the honor to be,
Sir,
Your most obedient servant,
R. K. PRINGLE.

Candeish, Dhoolia, 4th October 1841.

Minute by Mr. Pringle.

1st. Having understood that circumstances have arisen to bring again under consideration the expediency of adhering to Mr. Morris' proposed modifications in the Annuity Branch of the Fund, I have thought it might assist the Trustees and the Subscribers at large in coming to a decision on the subject were I to submit a few remarks in elucidation of the opinions recorded by me when it was under discussion on a former occasion.

2d. The professed object of Mr. Morris' plan is to benefit the Juniors in the Service by a more equal appropriation of the advantages of our supposed surplus resources, and to provide every one with an Annuity at quarter instead of half value, on his becoming qualified to take it.

3d. The maintenance of this plan necessarily supposes the permanent resignation of the Annuities outstanding at its commencement, as it was from the means provided by these that it was to be carried into effect. In any enquiry therefore for testing its merits, it must be assumed that it is only from the future Annuities arising out of it that its objects are to be met.

4th. The Memorandum in which Mr. Morris gives an exposition of his views bears date the 19th June 1838. In page 875 of the last printed Proceedings of the Fund will be found a Table furnished by the Actuary, in the 7th Column of which is a classified Statement of the Members in the Service at the end of the year 1838, that is, about the period of Mr. Morris' calculations.

5th. From this Table, and the rate of mortality given in Table No. 7 of the Actuary's first Report, the number of Members who may be expected to live to the age of 45 may be calculated, by dividing the number living at that age in Table No. 7, by the number in the same Table living at each year from entering the Service, (supposed to be at the age of 20) and multiplying the results by the numbers actually in the Service at the successive years as shown by the Table in page 875. Thus, for the first year, $\frac{2444}{2184} \times 2 = 1.055$, and so on for each successive year up to the 25th.

6th. The sum of the results obtained by this process gives 93.784, or in whole numbers 94, for the number of those, then under the age of 45, who would live to attain that age. And adding to this the 13 who appear by the Table in page 875 to have already attained it, we have 107 for the number of claims to be provided for in 25 years, to meet which Mr. Morris' plan, at the rate of 5 biennially, gives 62, leaving a deficiency of 45.

7th. To show how this would affect the interests of a Junior in the Service, which it is the professed object of the plan to promote, let the numbers in Table 7 living at each age above 45, be divided by the number living at that age, and the results be multiplied by 3 and 2 alternately, until each survivor out of the 45 qualified expectants is provided with an Annuity—thus for the first year $\frac{4}{5}\frac{7}{7}\frac{1}{4}\times 3 = 2{\cdot}924$—for the second year $\frac{3}{3}\frac{0}{5}\frac{9}{4}\times 2 = 1{\cdot}900$, and so on for each successive age till the claims are exhausted.

8th. The result of this process gives 34·499, or in whole numbers 35, for the number of Annuities required to provide for each survivor in his turn out of the 45 expectants at the age of 45—and dividing this number by $2\frac{1}{2}$, the average annual rate at which the Annuities become available, we get 14 for the number of years, the two Junior expectants must wait until they can get one.

9th. Now the value, at the age of 45, of an Annuity to be entered upon at the age of 59, less the quarter value then to be paid for it, is found by multiplying $\frac{3}{4}$ths of the full value at 59 by the chance of surviving to that age, multiplied into the present value of unity discounted for 14 years at 6 per cent. But $\frac{3}{4}$ value at 59 = Co's. Rs. 85,189·35—21,297·337 = 63,892·013—the chance at 45 of surviving to 59 = $\frac{8}{9}\frac{1}{1}\frac{2}{4}\frac{9}{4} =$ ·6515 and unity discounted for 14 years at 6 per cent=·4423. Then 63.892.013X.6515X·4423=Co's. Rs 18,411. Moreover, by a Statement given by Mr. Morris in page 503 of the Proceedings of the 8th January 1839, the average accumulated amount of the Subscriptions of a Member who has been 24 years, under the New Fund and one year under the Old is Rs 28,263. From which it may be estimated that for a Member who has been 25 years under the New Fund they will not be less than Rs 29,000, but this sum will be at risk from the age of 45 to the period of settlement at 59 the value of which risk is 1—·6515X29,000=10,106. Then deducting this from the former result 18,411, it leaves Co's. Rupees 8,305 for the present value of the expectation to the Junior expectant at 45.

10th. But under the original plan, as sanctioned by the Court of Directors, the claimant comes into the possession of his Annuity, less the half value he has by that plan to pay for it, immediately on attaining the age of 45, and therefore it is worth to him Co's Rs 53,835, that is Co's. Rs 45,530 more than by Mr. Morris' plan; consequently by the adoption of the latter plan he would be a loser to that amount, instead of a gainer of Co's Rs 26,917, ($\frac{1}{4}$ value at 45,) as it professes.

11th. But this is not all, for the above calculations show the effect of the two plans only to the Junior *qualified* expectant. To obtain a complete estimate of their operation it would be necessary to carry the demonstration a step further, and, by including the risk *under* the age of 45, to exhibit their effect to the Junior *non-qualified* expectant, i. e. to the Junior Member in the Service. This is rather a more difficult problem than the other, and owing to the subscription increasing with the salary and the salary not increasing by a determinate ratio, its solution can be attempted only by an hypothetical approximation. Taking the accumulated subscriptions however, as before, at Rs 29,000, I think I am within the mark in estimating the risk on the present value of their expectation at the age of 20 at Rs 2,334. But the chance at the age of 20 of surviving to 45 is $\frac{4}{8}\frac{4}{1}\frac{4}{6}\frac{4}{4} =$ ·527 and multiplying this into the value of the expectation at the age of 45 under each plan, as given above, and this again into unity discounted for 25 years at 6 per cent which is ·233, and deducting from each result the risk of losing the subscriptions, we have by the original plan (53,835X·527X.233)—2,334=4,276 and by Mr. Morris' plan (8,305X·527X·233)—2,334=—1,314. Showing the value of the expectation to the Junior Member in the Service to be by the original plan Co's. Rs 4,276 while by Mr. Morris' plan it is less than nothing by Rs 1,314, that is, he would be so much worse off than if he had nothing to do with the Fund at all.

12th. It may be said, that even under the original plan there would, by the above calculation, be a deficiency in the number of Annuities, and that the resources of the Fund have never been adequate to the fulfilment of that plan.

See Para: 8 of Mr. Morris' Memorandum of the 19th June 1838.

13th. To this I would reply, that by the original plan there were, at the period of Mr. Morris' calculation, 15 Annuities available, exclusive of the 4 which had lapsed under the temporary arrangement; so that, with the additional 75 which would be produced by the plan in 25 years, there would be at least 90 forthcoming to meet the 107 claims, leaving a deficiency of only 17, and this might perhaps not greatly exceed the number of Members above the age of 45 constantly remaining in the Service. But even supposing that all retired as soon as they were qualified, and that the qualified expectant must wait until an Annuity came to his turn, it might be shown, by a calculation on the same principle as in paras. 7 to 10 of this Minute, that he would still be better off, by Co's. Rs. 21,057, than under Mr. Morris' plan.

14th. But a more satisfactory answer to both objections is, that under the original plan we have the solemn guarantee of the Court of Directors, that they will ensure the adequacy of the Fund, if necessary, by an increased contribution on their part, for the provision of 3 Annuities annually, which number, if I recollect right, was fixed on the express understanding, that it would be sufficient to secure the offer of an Annuity to every one who wished to retire at the end of 25 years' service. I am quite aware that it is pretty certain from the state of the Fund, that such increased contribution from the Court *will* be necessary, but I feel assured that, while we adhere to the original conditions, we may rely with confidence on its not being withheld. If on the other hand we adopt a new plan of our own, and which professes to let us have the Annuities at a lower price, I can have no such assurance, nor indeed do I think it at all likely that the Court would come forward to meet the deficiencies of a Scheme to which they were in no way pledged.

15th. If the above reasoning be correct, it will be obvious that (with the exception perhaps of a very few individuals at the head of the Service) the adoption of Mr. Morris' plan would be injurious to every Member in it, but especially to those in the lower grades; nor are its disadvantages to be estimated merely in the diminished value of the expectation of the Annuity, for it is not less obvious that it would obstruct the course of promotion to a grievous extent.

16th. I have considerable doubts whether the whole of our fairly disposable surplus has not already been exhausted, and the further continuance, by the Court of Directors, of the grant of Annuities at quarter value, may not seriously impair the resources of the Fund; but this boon was a voluntary concession on the part of the Court, and so long as it may please them to continue it without intimating any intention of departing from the obligations of their indemnity guarantee, it may not be for us to question its wisdom. If however

the modification were of our own seeking, the state of the question might be materially altered, and we might be held responsible for the consequences. I therefore consider it a most fortunate circumstance, that the Court of Directors did not at once comply with our solicitation for the adoption of Mr. Morris' plan; and the suspension of their assent having left the question still open, I earnestly hope the Subscribers will avail themselves of the opportunity thus afforded them to give it a serious reconsideration, and that they will weigh well the consequences before advancing further in a course which, I am persuaded, would be attended with much detriment to their interests.

R. K. PRINGLE.

Dhoolia, 4th October 1841.

Letter and Minute dated 20th October 1841 from Mr. Greenhill.

W. R. MORRIS Esq.
Secretary to the Civil Fund,
Bombay.

Sir,

I have the honor to request, that you will do me the favor of circulating the accompanying Document, with the Proceedings relating to my Proposition now under discussion, and to be,

Sir,
Your most obedient servant,
D. GREENHILL.

Bombay, 20th October 1841,

Minute.

The following Statement of Members who are or will become eligible during the next 6 years, including the present, is submitted as an Appendix to my Minute recorded at the last General Meeting, in support of the arguments and opinions expressed therein, and particularly with reference to that most important *condition* of Mr. Morris' plan which provides for its abandonment, so soon as it may be found that "5 (Annuities) biennially do not meet the demand, so as to give an Annuity to all as they become eligible." It is taken from the Civil List dated 30th September 1841, published at the Government Press, and it is hoped that it is sufficiently accurate to admit of a fair judgment being formed from it, but if the Secretary would be so good as to order it to be tested in his Office, or to direct a new and perfectly correct one to be prepared, it would be more satisfactory.

List of Civil Servants who are or will be qualified in the course of the next 6 years including the present, from the 1st September, previous to which 2 Pensions have been taken within this year, by Messrs. Dunlop and Williamson.

1841 | 2	Messrs.	Anderson		Brought forward.....		21	
		Marriott		1844 | 5	Messrs.	Glass	
		Bax				Morris	
		Williams				Simson	
		Brouchier				Hutt	
		Bruce				Blane	
		E. E. Elliot				Arbuthnot	
		Vibart				Jackson	
		Bell				Elphinston	
		Pelly				Harrison	
		Reid				9	9
		R. Mills		1845 | 6		Warden	
		B. Mills				Montgomerie	
		Greenhill				LeGeyt	
			14			Muspratt	
						4	4
1842 | 3		G. L. Elliot		1846 | 7		Pringle	
		G. Giberne				Webb	
		Willoughby				Brown	
		J. Shaw				Stuart	
		Boyd				Grant	
		Borradaile				Townsend	
			6			Andrews	
1843 | 4		Pyne	1			Langford	
			21			Kirkland	
						9	9
							Total....43

of these qualified Parties in 6 years, allow 13 as not requiring Annuities, there would remain 30 to be provided for; and Mr. Morris' plan would give as follows, the whole of the present arrears being either sunk or placed in abeyance.

1841 | 2	2	(Messrs. Dunlop and Williamson having already got 2)
1842 | 3	2	
1843 | 4	3	
1844 | 5	2	
1845 | 6	3	
1846 | 7	2	
	14	

Thus giving only 14 Annuities for 30 claimants, or for the whole period only 2 more than are at this moment available under the plan now in force under the Court's sanction! Whereas the *existing* Scheme if continued

for the same period, would give in addition to the above arrears 10, making in all 22, for the 30 expectants. But use the arrears now available, and revert to the original plan guaranteed by the Court of 3 a year, and we should have the 12 in arrear + the 3 a year for the following 5 years, or 15, making in all, 27 Annuities for the 30 claimants.

I appeal to the above as very strong grounds in support of my Proposition, which was necessarily submitted to the Service on its expediency, on the General Meeting at the Presidency declining then to decide the question.

Bombay, 20th October 1841. D. GREENHILL.

Memorandum dated 18th & 20th October 1841 by Mr. Morris.

Although somewhat reluctant, under the strong adverse feeling which has been evinced in the discussion recently carried on relative to the modifications to be introduced into the Annuity Fund, by which the continuance of the grant of Annuities at one quarter value was to be rendered permanent, to enter again on the consideration of the subject, still bearing in remembrance the part which I have taken in the proceedings which have already occurred, and regarding it as a point of duty, both on that account, and from the situation which I hold, to submit my sentiments for the consideration of the Service at large, I cannot altogether abstain from endeavouring to dissipate, as far as lies in my power, the erroneous conclusions, which seem to have been deduced from the propositions adopted, and to concentrate as far as practicable, all the information bearing on the important question now to be placed before the Members, so as to ensure a calm and deliberate judgment, and to lead to a decision which shall be in accordance with the best interests of the Institution.

It is essential for this purpose that the Scheme as originally proposed should be primarily and distinctly stated, and this end may be readily attained by the following quotation from the Report of the Trustees laid before the General Meeting held on the 9th January 1839.

" Para. 20. The object of the Memoranda prepared by the Secretary is first briefly to exhibit the actual result of the transactions of the Annuity Branch of the Fund during the three years, that the modified Clauses have been in operation as required by the Hon'ble Court, and after shewing that the temporary grant of Annuities at a quarter value has not been productive of that great acceleration of promotion which might have been anticipated, and that the resources of the Fund are still considerably in excess of the amount of accumulation, fixed agreeably to the Scheme laid down for our guidance, to found thereon a proposition for the more general participation of the Service in the surplus capital, so that the Annuity should be secured to each retiring Member at one quarter value.

" 21. The mode in which this latter end is to be attained, is as follows :

" *First.*—The introduction of a New Scheme by which instead of six Annuities being declared available every two years, only five Annuities are to be opened in that period, two in the first year, and three in the second.

" *Second.*—The temporary suspension of the seven Annuities which would have remained unappropriated on the 1st May 1838, had this Scheme been in operation, but with the right on the part of the Service to resume them, should the augmented demand render such a step necessary, the amount of fine being at the same time increased from one quarter to one half agreeably to the original Scheme.

" *Third.*—The grant of two and three Annuities in alternate years at one quarter value so long as the temporary suspension of the seven unappropriated Annuities continues.

" *Fourth.*—The refund of the surplus contributions above the one quarter value paid by Members during the period that the 3rd Proposition is in operation.

At the same Meeting the following Proposition was submited for the votes of the Service.

" That the recommendation of the Trustees in regard to the modifications to be introduced into the Annuity Branch of the Fund be submitted for the votes of the Service,"

and which Resolution was adopted at the subsequent General Meeting held on the 14th May 1839, by a majority of 43 to 12, but which majority would have been increased to 51, had it not been for the tardy arrival of the votes from Ahmedabad and Bhopaul, the whole of which were in favor of the Resolution.

Consequent on the foregoing Resolution the Trustees addressed the letter to Government under the following day's date, which was published with the printed Proceedings of the General Meeting held on the 3rd November 1840, p: 914, and to which early attention was again solicited, in accordance with the Resolution passed at the same General Meeting in a letter dated 6th November 1840, published in page 952 of the last printed Proceedings. In this position the matter now stands, and I would here submit for the consideration of the Service whether any measure could have been more maturely and deliberately resolved upon, and whether in common consistency the decision of the Hon'ble Court on the Proposition thus urgently pressed upon their attention should not be awaited, before any steps be taken which may render a return to its adoption impracticable.

The grounds on which I was induced to conclude that a permanent amelioration in the conditions of the Fund should be sought in preference to a renewal of the modification which had then been in operation for three years are fully stated in my Memoranda of the 24th May and 19th June 1839, and 10th November 1839, and to which I would beg to refer. It may not be irrelevant however here briefly to recapitulate them. They were that the Scheme then in operation was partial and ineffective—the number of retirements not being increased, and the Senior Members possessing no particular claims why such appropriation should be made in their favor, whilst by the principle of equality, on which the Fund was established, the benefits accruing should be rateably distributed throughout all grades of the Service—and that such a dissemination of the Surplus Capital was only fair and reasonable, seeing that every Member would, agreeably to the Scheme laid down by the Hon'ble Court, pay more than the half value of his Annuity, when he was placed in a position to claim it, in consequence of the subscriptions being levied as if for a deferred Annuity whilst the settlement is for an immediate Annuity. That this is not an imaginary effect, and that as a matter of right, the value of the Annuity afforded by the Fund should be considerably reduced, I would refer to the elaborate calculations made by Mr. Crawford, and contained in his Minute laid before the Service with the Proceedings of the General Meeting held on the 8th June 1830, and would thereon contend that the appro-

priation of the Surplus Capital in the partial and temporary manner, which it is the object of the present proposition to revive, is manifestly unjust, and that this effect is rendered more palpably injurious by the absence of any necessity for such a course of proceeding, since the Scheme which has been proposed to, and adopted by the Service, will ensure all that can be reasonably expected from the other measure, and that without entailing injury on any one.

The objections urged against the Scheme are—1st, the stagnation of Promotion, and 2nd, the inadequacy of the number of Annuities which it provides as compared with the wants of the Service.

To the first objection I would reply by stating, that tho' the Scheme has been silently carried on since the 1st May 1838, no injurious effect of the nature contemplated has been found to ensure from it—seeing that each Member as he required his Annuity has obtained it—nor has any change in this respect taken place unless a delay of a couple of months or so, can be thus construed, and which in my opinion is rendering the grievance little more than imaginary. My reason for making this assertion is, that I have only heard of four Members anxious to retire, Messrs. Vibert, Mills, E. Mills and Greenhill, and three of these Gentlemen are not even as yet eligible to accept their Annuities—so that if they were obliged to wait till the 1st May next, the hardship would not be very great—but such will not be the case except as regards two—since two Annuities are now available in arrear and two will become so on the 1st May next, by which all four will be provided for, and the full extent of promotion attainable, be secured.

Let however the comparison of the two Schemes be carried still further.—As sanctioned by the Hon'ble Court nine Annuities are now available at ¼ value, and two more will become so on the 1st May next, making eleven—against these are to be placed the four now available, and three more commencing on the 1st May 1843, making altogether seven, or a difference of four steps, which if the whole be taken up at once would inevitably lead to a return to half value premium;—and what, I would ask, will be the consequent effect? will it not be, as has hitherto been found to be the case, that a Member under these circumstances pauses and deliberates, when he has to pay down a large sum out of his savings, to make up the minimum amount of the half value, and that he hangs on for a year or two to make up the difference—whereas could he have obtained his Annuity at one quarter value, and which in all probability would have added something to his Capital, he would at once have retired. If in this deduction I am correct it would follow that altho' a temporary stimulus to promotion may be obtained by the absorption beyond redemption of our accumulated Capital, still as that absorption must be followed by a return to the half value Scheme, it must be obvious that if the Service can retain permanently the issue of Annuities at ¼ value, promotion will on an average become much more rapid, certain, and regular than under the former plan, and consequently the Service at large greatly benefited.

There is another point of view in which I am anxious to place the beneficial result, arising from the permanent maintenance of the one quarter fine.—Suppose a Member to have completed his Service and Residence, and to be anxious to retire, but that an Annuity is not available for him, and may not be for one or two years, or say even for three years.—By the following figured calculation I contend that he might at once go home, and after enjoying three years of his native country still find himself in no worse position as regards his pecuniary circumstances than he would have been, had he immediately obtained an Annuity at ¼ value, whilst on the other hand whatever time his Annuity might fall in before the three years had expired, would be clear gain to him.

Half value of an Annuity say	50,000
Quarter value of an Annuity say	25,000
Difference saved	25,000
Interest on saving for 3 years at 6 per cent	4,775
Interest on contribution to the Fund running to his credit	4,775
Difference of Premium at 45 and at 48	1,073
Amount realized in three years	35,623
Against which 3 years Annuity at 1000 £ a year with interest from the dates of payment, at 6 per cent	34,442
Leaving him still a gainer of Rs	1,181

Next as to the inadequacy of the number of Annuities as compared with the wants of the Service, it is a matter of fact, and not of reasoning, and it will at least be admitted that the investigation which has been so diligently and assiduously carried out by the Actuary to test the accuracy of the Table on which his former data rested, and on which my Scheme was avowedly based, goes far to establish the assumption on which it was drawn out, that five Annuities biennially will prove fully adequate to the wants of the Service, or in other words, that of the Members who enter the Service at the age of 20, only one half survives to attain the age of 45, and taking the Service at 130, which is about its fixed average number, the moiety would be sixty-five—whilst five Annuities biennially would give sixty three, making only a difference of two, for any smaller Annuities, for Members retiring before completing the period of Service, and for Members remaining after they have completed twenty five years.

I would solicit the attention of the Service to the 12th and 19th paragraphs of the last Report from Mr. Davies, pages 864 and 865, and more particularly to the concluding intimation with which he finishes the last of the paragraphs indicated.

"It is therefore manifest that the 7th Table in my former Report cannot be regarded as materially erroneous either in its graduation of the mortality at different ages, or in the degree of mortality which it assigns to the Service in general at Bombay," thereby corroborating and confirming the announcement contained in the 35th para. of his First Report "that of those who arrive in India at the age of 20 (which is stated to be the average age at which they arrive there) not much more than one half live to attain the age of 45, at which they are allowed to retire from that country."

Upon a similar basis the Hon'ble Court would appear to have founded their original Scheme since 3X25= 75 gives for 150 Members exactly a moiety, whilst the modified Scheme sufficiently approximates to the same result, being 2·50X25= 63 for 130 Members.

But admitting for the sake of argument that the conclusion at which I have arrived in this respect is erroneous, how, or in what manner will the Service be benefited, or the number of Annuities augmented by the course of proceeding now proposed to be adopted, For every two Annuities now granted at one quarter value, one Annuity is irretrievably lost to the Society. And the effect of the absorption of the whole Annuities now available at one quarter value will be that not only the whole of the Surplus Capital will be swallowed up, but all the Annuities will be gone which formed the reserve by which the future exigencies of the Service are to be met. Surely this is neither a reasonable nor feasible way to meet the difficulty—and all I contend for, is, that those who insist upon the necessity for a larger number of Annuities than that allowed by the Scheme under consideration should be loudest and most urgent against the adoption of the present Proposition, by which Annuities and Capital will be gone past all redemption.

If moreover those who contend that the number of Annuities at present provided are not sufficient, be right in their deduction, the course which the Service has been pursuing under the Hon'ble Court's Scheme must eventually prove most injurious, since a reduction in the number of Annuities is the groundwork on which it rests, and its effect is in fact to reduce the Annual number of Annuities to two or four in two years. It was to remedy this defect, from conceiving that the measure was partial and calculated to produce much future detriment that I ventured to offer my first suggestion, and which, it is important to remind the Members, was necessarily made dependant on the existing resources of the Institution, since any requisition for additional aid would, in my opinion, have been the inevitable concomitant of a failure.

There is one other point to which I feel it necessary to advert, and that is the objection which has been taken to the manner in which the number of available Annuities has been announced, and which is considered to bear an ambiguous and perplexing character. A brief examination of the constitution of the Fund and a reference to past proceedings will, I doubt not, satisfactorily establish that the course adopted was the only one which could have been pursued without infringing one of the fixed principles of the Institution. Looking to the constitution of the Fund it will be readily admitted that the authority exercised over it is two-fold—a portion being vested in the Hon'ble Court who reserve to themselves a right to pass all final decisions, and a portion in the Members of the Service, who in a General Meeting assembled, may, with the prescribed three fourths, determine on any Resolution. It is of course necessary and desirable that the authority exercised by both parties should be concurrent and uniform—but still with the distance which separates and the period of time required by the former on occasions to arrive at a decision, such is not always the case, and it is consequent on this deficiency that the complex announcement has been rendered necessary. The Hon'ble Court having by their letter of the 1st April 1840 occasioned the first intimation, whilst the Resolution of the 14th May 1839, equally called forth the second, and placed the former in abeyance temporarily as their position was designed to shew.

I cannot conclude without alluding to the circumstances which have led me to take so prominent a part in this discussion and deprecating the insinuations which would ascribe to me any other motive than a sincere desire to advance the best interests of the Fund. Fearlessly do I assert that I was prompted solely by the call of duty, and as unhesitatingly do I claim, that my conduct should be viewed as evincing honesty of purpose, seeing that I sought no benefit save that which was shared in common with the rest of my Fellow Servants. I appeal with confidence to the past proceedings as bearing out and corroborating these assertions. What was done, was done with caution and deliberation, and each stage of the arrangement suggested was submitted for, and obtained, the full and entire concurrence and approval of the Trustees. The measure thus proposed, and which I contend, was fully and fairly explained, and set forth so as to admit of no doubt existing as to what was designed to be done, and in support of which I refer to the Memoranda and Statements then prepared, which will place this conclusion beyond suspicion, was taken up by the Trustees, and by them strongly recommended for adoption by the Service. This recommendation was successful; the proposed measure being carried as I have above shewn, by a Majority of 51, over 12, but before the plan can reach maturity, self-interest has now suggested a different course of proceeding, and without reference to consistency, and independent of the support and countenance which had been previously afforded in the opposite direction, the whole, without one solid argument, or one substantial reason being adduced, save and except convenience, is at once to be abandoned. Is this, I would ask, the line of conduct which a Service constituted as our Service is, and occupying the position which it does, would deliberately wish to adopt? This is one ground on which I would call on the Members to pause and deliberate before they put their confirming vote on this stultifying transaction—and I would further entreat of them to ponder well and duly the motive which has stimulated the exertions leading to this result, and determine whether they should not rather discern in it some cause for doubt and hesitation than for the ready acquiescence which has been afforded. Now is the time for reflection, for the deed done cannot be undone, and therefore I repeat, it behoves all and every Member to understand and be satisfied of the correctness of the step he is taking, before it be finally adopted. Let not the Members in their eagerness for present benefit be altogether unmindful of the future. It is wise and good policy to look forward and ask what will be the result of reverting to the half value Scheme after all the Annuities now in arrear have

been absorbed. Common sense answers that promotion will thereby be retarded, and it is therefore for the general good of the Service, that the one quarter value Scheme should, if possible, permanently be retained.

18th October, 1841. W. R. MORRIS.

P. S. Since this Memorandum was prepared, Mr. Pringle's Minute which bears date the 4th instant, tho' it only reached me late on the evening of the 18th instant, has been received. I am led to believe that the information contained in this document has been intentionally withheld from me, and looking to the indirect manner in which it has been sent in, that conclusion would seem to be confirmed. If the object was to elicit a fair and full enquiry as regarded the question under consideration, a different course should have been pursued. Time will not now admit of my entering at length into the arguments adduced by Mr. Pringle, but I have already said, that the point to be determined, and on which the whole fabric of his Minute rests, is one dependant on facts and not on reasoning, whilst I have shewn that the relative proportion by the modified Scheme in regard to Annuities and Members bears as close an approximation as it well can, to the Scheme originally founded by the Honorable Court. Should however the Service not render such a proceeding needless by the decision now to be passed, I would suggest that the matter should be referred to the Actuary Mr. Davies, so that a question so materially affecting the best interests of the Service may be set at rest.

All Mr. Pringle's arguments, it will be observed, are directed against the modified Scheme proposed by myself, but whether they might not be applied, and with still greater force against the Scheme sanctioned by the Hon'ble Court, and an adherence to which, unless I am greatly mistaken, judging from all concomitant circumstances, is the aim and object of Mr. Pringle's Minute, tho' the tendency of his reasoning would appear to be, that the Service should immediately return to the ½ value Scheme, I will leave for others to determine, merely remarking, that supposing the effect should be the same, there will be this striking difference in the result, that under the Hon'ble Court's Scheme all the accumulated Capital will be consumed, whilst under the project which Mr. Pringle so strongly condemns, the whole will be available to be appropriated in such manner as may be most conducive to the welfare and prosperity of the Institution.

W. R. MORRIS.

20th October, 1841.

Letter dated 20th October, and Minute dated 19th October 1841 from Mr. Escombe.

W. R. MORRIS Esq.
Secretary to the Bombay Civil Fund.

SIR,

With reference to the first para: of your letter of the 30th ultimo, I have the honor to submit a few observations on the Proposition brought forward by Mr. Greenhill, at the General Meeting of the Subscribers to the Civil Fund held on the 24th of last August.

I have the honor to be,
Sir,
Your most obedient Servant.
W. ESCOMBE.

Bombay, 20th October 1841.

Minute.

An argument has been raised against Mr. Greenhill's Proposition that as Mr. Morris' plan has been adopted by the Service and referred home for the sanction of the Court, we are not at liberty to place ourselves in a position which might render us unable to carry out Mr. Morris' plan should the Court of Directors consent to its introduction. There is however in Mr. Morris' Scheme this very important condition, that the Service has the power under certain well defined circumstances of abandoning it altogether, and it may be worthy of consideration whether these circumstances have not already actually occurred, and whether therefore according to its own intrinsic terms Mr. Morris' plan ought not at once to fall to the ground.

In a note to his Memorandum of the 24th May 1828, page 495 of the Proceedings, Mr. Morris says "it may be a proper precaution to make the permanency of the arrangement (the giving five Annuities in "two years) dependant on the future demand for Annuities, or for the Service to retain the right of reverting to the old condition of three Annuities yearly at half premium, with the power of revising the suspended Annuities.

Again in para: 19 of his Minute of the 18th June 1838, Mr Morris says, "the Scheme which I have submitted provides for 2. 25 Annuities in each year, or ten in four years, and will therefore, it is to be expected, enable the offer to be made to each Member *as soon as eligible* **** the surplus Annuities are only temporarily suspended, and may be resumed if the wants of the Members require them, and not altogether

" abandoned as rendered necessary under the Court's orders." The Trustees in laying Mr Morris' plan before the Meeting held on the 8th January 1839, state their opinion that five Annuities in two years "would " amply suffice for the wants of the Service"—and in a Minute of the 16th November 1839 Mr. Morris uses this language, "as the course of proceeding to be adopted for their—the Annuities—resuscitation, I see " no reason for any departure from the usual mode of a general vote of the Service, since if the pressure be " heavy and the demand for Annuities great, it cannot be doubted that the Service at large will be ready " enough to avail themselves of the means at their disposal."

It is clear then that Mr. Morris' plan imposed on the Service at large an obligation to abandon it as soon as the pressure became so heavy and the demand so great that an offer of an Annuity could not be made to each Member as soon as eligible. Messrs. Anderson, Marriot, Bax, Williams, Bourchier, Bruce, Eden Elliot, Vibart, Bell, Pelly are all eligible, and all might have an offer of Annuity, because I believe none are prepared at present to take it—but the offer of an Annuity when eligible cannot be taken in so limited a sense but must be understood as conferring or continuing the power of taking an Annuity at any time after being once eligible.—The Service therefore under this interpretation are bound to give up Mr. Morris' plan, and to resort to the Annuities at ½ value.

But if any objection should be raised to giving so wide a latitude to the meaning of the condition in Mr. Morris' Scheme, it will only be necessary to consider the actual state of the Service as regards expectants. Mr. Richard Mills will be eligible on the 9th of December next, and as no one his Senior is likely to retire in the mean time, he may be considered as sure of his Annuity. Mr. Greenhill is eligible on the 3d of January, he will therefore also get an Annuity. Mr. E. B. Mills is eligible on the 6th of February and would retire immediately. Mr. Vibart, who proposed going home in March, is always eligible, but as the two available Annuities will be already appropriated, neither of these Gentlemen will succeed to an Annuity till the 1st of May. Mr. Letsom Elliot is eligible on the 1st and Mr. Giberne on the 28th of May 1842; both are understood as wishing to take Annuities, but neither will be able. The pressure therefore is heavy and the demand great, and Mr. Morris' plan, according to its own terms, ought to be given up.

But a reference has been made to the Court of Directors, and we are bound, it is said, to await an answer to that reference. To me, there appears no such obligation; if the Court refuse to accede to Mr. Morris' Scheme, the system now in force, the one sanctioned by the Court itself continues in operation. If on the contrary the Court consent to the adoption of Mr. Morris' plan, the result is the same, for that plan having been found unequal to fulfil its own conditions must be rejected, and the present system be maintained until cancelled by the Court or modified by the Service. If Mr. Morris' plan had been *introduced* we could only have abandoned it by reverting to the Annuities at half value, but as it has *not been introduced*, as it is now but a bare proposition, the right of taking Annuities at the quarter value is in no way affected by it.

Since this question has been agitated, assertions have been put forward in the public papers, that if only for the purpose of saving the Fund from impending insolvency, Mr. Morris' plan should be supported by the Service. I can hardly suppose that this cry of the Fund in danger has given rise to any great alarm, but to remove any the slightest apprehensions which may have been raised on the subject, it will only be necessary to make one or two references to the despatch of the Court of Directors of the 15th of November 1826. In para: 21, the Court say, " Referring to the principle explained in paras. 49 to 51 of our despatch " to the Government of Bengal dated the 8th December 1824, we have determined that the number of An- " nuities to be granted annually to the Civil Servants on your establishment shall be *three*," and in the 26th para: the Court goes on to shew how the necessary Funds are to be provided. "If a contribution of " this sum" (one equal to the contribution of the Service) "shall be shewn to be inadequate, we authorize you " to increase it accordingly, provided that it shall not exceed FOR THE PRESENT the sum of one lac of " rupees. You will be enabled to adjust the actual results to the necessity of the Fund every five years " as directed in the 62nd para: of our despatch to the Bengal Government, so that the Company's contri- " bution from year to year may not materially vary in amount, and may, ULTIMATELY be fixed and deter- " mined as the sum necessary to enable the Fund to grant THREE ANNUITIES ANNUALLY.

Nothing can be more distinct than this pledge, and we have no reason to distrust it. When the Court sanctioned for two years more the experimental plan of granting Annuities at a quarter value, they had before them the letter of the Trustees shewing to what extent the contributions of the Court would have to be increased. With this letter before them they did not think it advisable to adopt Mr. Morris' plan, and as that plan would not only have secured the Court from any enhanced demand, but would greatly have reduced the amount of their present contribution, we may safely conclude that very little improtance is attached by the authorities at home to the prospective burthens which the continuance of the present system is declared certain to impose, and that the Court will go on granting three Annuities yearly, even if necessary, by raising their subscription above a lac of Rupees.

October 19th 1841. W. ESCOMBE.

Minute without date from Mr. Spens.

I am of opinion that an Annuity at ¼ value cannot be refused to any person qualified to take it previous to the 30th April 1842.

1st. The Scheme proposed by Mr. Morris has not been " sanctioned and approved by the Court of Direc- " tors" and cannot therefore be acted upon—(Sec. 15. Article IV.)

2nd. The Court in their letter of the 1st April 1840 " *determined* to sanction the farther continuance of " the experimental plan *now* in operation until the 30th April 1842."

A. SPENS.

ON RESOLUTIONS 2ND AND 3RD.

Letter and Minute dated 13th October 1841 from Mr. Greenhill.

The Secretary to the Civil Fund,

SIR,

I have the honor to request, that you will do me the favor, of circulating the enclosed Minute, on the propositions of Messrs. Gordon and Elliot, made at the last General Meeting, and to be

Bombay, 13th October, 1841.

SIR,

Your most obedient Servant,
D. GREENHILL.

Minute.

I should have been content, to have given a silent Vote against Mr. Gordon's proposition, and likewise against that brought forward by Mr. E. E. Elliot, both being opposed to the view and decision of the Service, already adopted, and seeing no adequate reason for deviating therefrom. I have, however, two objections to that of Mr. Elliot;—the first is to the form, it is not seconded.

2. The Regulations do not require a seconder, and I am disposed to think, that by those Regulations, any Member is entitled to bring forward a question; but I am probably in error, as, when I made the proposition to the last General Meeting, which is now before the Service, the Chairman objected to put it, if not seconded. I appealed to the Regulations, and claimed a right to put it without a seconder:—the Chairman appealed to the Secretary, who gave it as his opinion, that it could not be put, according to invariable usage. It was not a time to lose so important a question for a ceremony, and the proposition was seconded as required. Mr. Elliot's proposition notwithstanding, was received, and put to the Service without, I now see to my surprise, its having been seconded; but if the prohibition of the other was valid, Mr. Elliot's cannot be acted on.

3. My substantial objection, however, is, that it would be altogether unjust and illegal, to deprive a party of what has been given in consequence of the act of some *other* party. This is the proposition of a Member of the Service, made under the privilege vested in all. Neither the Children of the late Mr. Grant, nor any one else, can prevent Mr. Gordon, or Mr. any body in the Service, from bringing forward any motion he pleases; and I do not see that his doing so, can, with any propriety, affect the rights of those Children, already acquired. It appears to me, that a Member, might just as well have proposed, that if my motion, to disallow the act of the majority of the Trustees, in unauthorizedly withholding the available Annuities, were not carried, Mr. Vibart was not to have a pension at all.

D. GREENHILL.

Bombay, 13th October, 1841.

Letter and Minute dated 8th October 1841 by Mr. Pringle.

To

W. R. MORRIS, ESQ.

SIR, *Secretary Civil Fund.*

With reference to your Letter of the 30th ultimo, inviting the observations of Subscribers, on the propositions submitted for their votes, at the last General Meeting; I have the honor, to enclose those which occur to me, on the propositions of Mr. Gordon and Mr. E. E. Elliot, and to be

Sir,
Your most obedient Servant,
R. K. PRINGLE.

Dholia, 8th Oct. 1841.

Minute.

I shall vote in favor of Mr. Gordon's proposition, because I thought, and still think, that the intention of the Regulation was open to doubt, and that the weaker party was entitled to the benefit of, that doubt.

I voted against Mr. A. Malet's proposition because I think, that, as our Institution is constituted, it is objectionable, in principle, to grant that as a favor, which we withhold as a right.

I shall vote against Mr. Elliot's proposition, reversing that of Mr. Malet, because I think it still more objectionable, as being unbecoming the character of the Institution, and injurious to its credit, to recall that which it has once granted.

Dholia, 8th October 1841.

R. K. PRINGLE.

Letter dated 9th October 1841 by Mr. LeGeyt, and Minute without date from Mr. LeGeyt, and Mr. A. N. Shaw.

To the Secretary to the Civil Fund.

SIR,

I have the honor to request, in reference to that part of your Letter, of the 30th ultimo, inviting observations on the various points about to be submitted to the Service; you will be good enough to circulate the accompanying Minute, and amendment to Mr. Gordon's proposition.

I have the honor to be,

Belgaum, 9th October 1841.

Your most obedient Servant,

P. W. LEGEYT.

Minute.

It appears to me, that the claims of the Children of the late Mr. Grant, as a matter of right, are set at rest by the interpretation put by the Service, at large, on the Sec. 3rd, Art. IX, of the Rules of the Fund.

I am, however, strongly of opinion, that the rule is harsh and objectionable; and that the sense of the Service is opposed to it, is proved by the vote of the Members on Mr. Malet's proposition.

I think, therefore, the Rule should be altered, and assimilated to the Rules of the Bengal and Madras Presidencies, on the same subject; and would propose, as an amendment to Mr. Gordon's proposition, first, that Sec. 3rd Art. IX shall be altered, as follows:

Proposed.—"That the personal interest of any Subscriber, who may be suspended from the Hon'ble Com-"pany's Service, shall be in abeyance, but shall revive on his restoration, and if such Subscriber shall die "during the period of his suspension, his Widow and Children shall still be entitled to the full benefits of "the Institution. If he be permitted," &c. &c. (as it now stands.)

If this be carried, I propose secondly.

Proposed.—"That the above alteration shall have a retrospective effect in favor of such families as may "have been affected by the Rule as it has hitherto stood."

P. W. LEGEYT, C. S.

Seconded. A. N. SHAW, C. S.

Minute without date by Mr. J. Gordon.

Minute on Mr. Elliot's proposition.

Having already recorded a Minute on my own proposition, I would willingly spare the Service the trouble of reading more of my effusions, did I not fear that silence might be construed into acquiescence in either the justice or generosity of the proposition put forth by Mr. Elliot.

As this proposition originated in a suggestion of the Trustees, and is in accordance with the opinion expressed by them, in the 7th para: of the Summary of their proceedings, it may be useful to state, as briefly as possible, the circumstances which gave rise to it.

During my absence in England, and for a short time after my return to Bombay, I was under the impression, that the Children had been deprived of their rights by the decision of the Service.

During the time I was labouring under this error, I had opportunities of conversing on the subject with many persons, of almost every profession, and I can safely declare, that I have never spoken on the subject to any gentleman, (not a Member of the service,) who has not entirely agreed in opinion with the Court of Directors, that the treatment of the Children was "harsh, and inequitable,"

Believing such to be the general opinion, I was not a little gratified, to find that the conduct, which had brought the stigma of cruelty and injustice on the Service, attached, in fairness, only to the Trustees, as the Service had never had an opportunity of expressing their opinion on the case. I determined then, to exercise my privilege as a Member of the Service, and sent the proposition which bears my name, to the Secretary, with an intimation, that I should require its circulation.

The Trustees, consistent in the opposition which they have, from the first, thrown in the way of an open and candid appeal to the Service, directed the Secretary to address to me the subjoined letter, which I cannot look upon in any other light, than as a threat to deter me from again agitating the matter.

As the threat, which this Letter contains, could only be carried into effect when sanctioned by the votes of the majority of the Service, it was found necessary to submit it in the form of a proposition, which Mr. Elliot has moved.

I have no wish to disclaim a general interest in the Children of my late friend, Mr. Grant, and the wards of my friends Messrs. Fawcett and Johnston, or to deny that the payment of their pensions will give me sincere pleasure; but I do now distinctly claim the right to repudiate all connexion with them, and to state that I put my present proposition with the view to enable the collective body to throw off a stigma, which in the opinion of the Court of Directors, and of every gentleman I have ever spoken to on the subject, will attach to them, if they sanction the act of the Trustees.

I appeal to the justice and generosity of the Service, to oppose this attempt, to deprive two poor orphan girls, of a charity, freely, (and, under the circumstances, liberally,) bestowed on them, because an individual, over whom they, or their guardians, have no control, puts a proposition to his fellow servants, which is disagreeable to a few of them, as opposing their dictum:

JOHN GORDON.
Civil Service.

Copy of the letter above alluded to.

John Gordon Esq.
Civil Service.

SIR,

Having laid your Letter of the 16th Instant, with its accompaying Minute, before the Trustees, I am directed in reply to inform you, that the same will be submitted to the General Meeting of the Subscribers, to be held tomorrow, but with an opinion on the part of the Trustees, that in the event of your proposition being sent to the Service, the Resolution, granting certain Pensions to the late Mr. Grant's Children, must be considered as cancelled.

I have the honor to be, &c.
(Signed) W. R. MORRIS,
Secretary Civil Fund.

Bombay, Civil Fund Office, 23rd August 1841.

TRUE COPY.
JOHN GORDON, C. S.

Letter and Minute dated 11th October 1841 from Mr. H. Young.

To
W. R. MORRIS Esq.
Secretary to the Civil Fund, Bombay.

Sir,

I have the honor to forward herewith, a Minute, which I request may be circulated to the Subscribers, before the votes, on the propositions brought forward at the General Meeting of the 24th August last, are collected.

I have the honor to be,
Sir.
Your most obedient Servant,
H. YOUNG,
Civil Service,

Tannah, 11th Oct. 1841.

Minute.

I would beg, to bring to the notice of the Service, that, although Mr. Gordon's proposition is drawn out with reference to the special case of the orphan Children of the late Mr. Grant, yet the principle which it involves is one, in which every Member of the Service is personally interested. However upright and conscientious a man may be in the discharge of his public duties, yet his conduct may be liable to misconception, and himself to suspension from the Service. If the course which has been adopted towards the late Mr. Grant's daughters, is in accordance with Rules of our Fund, it is evident, that, in every case, in which a Member may die during suspension, his case being still sub-judice, his family must, nevertheless, be visited with the consequences of actual guilt, even if the perfect innocence of the party be eventually established. For it is not pretended, nor could such a pretension be for a moment upheld, that the applicability of the Rule is affected by the moral aspect of the case.

In the 7th para. of the Summary of the Proceedings of the Trustees, read before the last General Meeting, it is stated, that the question, of the rights of the Family of a Member dying under suspension, has already been distinctly placed before the Service, in the 6th Resolution passed at the General Meeting of the 3d November last. The wording of that particular Resolution must, I think, be admitted to be very singular and objectionable. The point submitted in it, for the votes of the Service, is, "that Section 3, Article IX. remain as at present," but there is also another point of very different import, inserted, as it were, parenthetically. which involves no less a matter, than the interpretation to be placed upon the Rule in question; and this, let it be remarked, is the point, of all others, the most important in the present discussion. Yet it is not in the Resolution referred to, laid before the Members of the Service, as a question to be decided by their votes,—it is, in fact, nothing more than a comment, expressing the individual opinion of the framer, or framers, of the Resolution, and being quite distinct from the question submitted for the votes of the Subscribers, I contend that the Service is in no way pledged, as regards the interpretation of the Rule in question, by its votes on this Resolution.

The view which I have above taken, will, I think, be confirmed, if we trace the somewhat irregular manner in which the Resolution was submitted for the votes of the Service. Although by the 5th Section of Article IV. of our Rules, it is necessary that any question, which it is intended to submit for the votes of the Service, should first be brought forward at a General Meeting, yet we may in vain refer to the Proceedings of the previous General Meeting of the Subscribers for any notice of the Resolution in question. It was resolved, at the Meeting of the 18th February 1840, that "certain questions, submitted by the Trustees, from the memorandum of their Secretary, be referred for the votes of the Service;" and it would seem, that on this authority alone, the Resolution alluded to was framed and submitted. But the Resolution itself, with its peculiar wording never received the sanction of a General Meeting, and therefore, any thing beyond the mere question submitted for the votes of the Service, is the expression of the individual opinion of the framers of the Resolution,

But I would go one step farther, and assert, that no part, or portion, of the Resolution, was authorized by a General Meeting of the Members. The Meeting of the 18th February, authorized the reference, to the Service, of "certain questions submitted by the Trustees, from a memorandum of their Secretary."

On turning to this memorandum, we find, that the only remark which occurs, in connexion with the subject of the right of the Families of suspended Members, is, to the effect, that, on referring to the Bengal and Madras Rules, it will be found, that, under the latter, the result, in the case of Mr. Grant's family, would have been similar to what has taken place under our own Rules. What connexion, it may be asked, can be traced between this remark, and the Resolution circulated to the Service.

I think it quite unnecessary to adduce any arguments against the proposition of Mr. Elliot, as I feel certain that its injustice will be self evident to every Member of the Service.

Tannah, 11th Oct. 1841. H. YOUNG, C. S.

Letter and Minute dated 19th October 1841 by Mr. S. Babington.

To W. R. MORRIS, Esq.
SIR, *Secretary to the Civil Fund.*

With reference to your Letter of the 30th ultimo, and the proceedings of a General Meeting of the Service, which accompanied it; I have the honor to forward a few observations, on the proposition brought forward by Mr. Elliot, and to be,

SIR,
Your most obedient Servant,

Bombay, Oct. 19th 1841. STEPHEN BABINGTON, C. S.

Minute.

Did Mr. Gordon now come forward, *as a Guardian* of the late Mr. Grant's children, and attempt, on their behalf, to assert that right to the benefits of our Fund, which Mr. Fawcett, as a Guardian, distinctly relinquished, in his Letter to the Trustees, of the 2nd January 1839, I should consider myself called on, perhaps, to subscribe to Mr. Elliot's proposition.

Not, however, being one of the Guardians, Mr. Gordon appears, I conceive, merely as a Member of the Fund, and under an impression, that, during his absence in England, a limited charity has been bestowed on the family in question, before its claim to the whole benefits of the Institution has been declared by the Service to be forfeited. Under this conviction, he exercises that privilege, which we all, in common enjoy, of calling for another general vote on the question; with a view, as it appears to me, and, indeed, as he himself declares, of vindicating the rights of these Children, towards whom, he may probably think with the Hon'ble Court, that we have acted inequitably.

Whether the right, to the usual grant, of the family of a Member of the Fund, dying while under suspension, does, or does not exist, is, of course, a distinct matter, but be that settled as it may, I certainly cannot think with Mr. Elliot, that we ought to deprive these Children of the donation, when it is clear that neither they, nor their Guardians, have any thing to do with the question, which Mr. Gordon only exercises his right in re-agitating.

S. BABINGTON, C. S.

Bombay, Oct. 19th 1841.

ON RESOLUTION 5TH.

Letter dated 6th October 1841, from Mr. A. N. Shaw, and proposition without date by Mr. A. N. Shaw, and Mr. Campbell.

To W. R. MORRIS Esq.
SIR, *Secretary to the Civil Fund, Bombay.*

I regret, after having my proposition before you nearly eight months, without submitting it to the Service, that you should have done so on the 24th August last, with an amendment, without giving me an opportunity of adopting that amendment and withdrawing my proposition.

2. You have brought forward two points, connected with the proposition, and quote, on the first, a motion proposed by Mr. Farish, in September 1825, stating that you are aware of no alteration since; Now permit me to observe, that this motion was brought forward at the institution of the New Annuity Fund, and intended, merely to secure to the families of Subscribers to our Fund, the benefits of the Provident Branch, as they then existed; and that a very material alteration in that Fund has taken place, by subsequently, allowing Widows to marry, and by an increase to our subscriptions. I appeal therefore, to your justice, whether this motion could have any reference to an Institution subsequently established, twelve years afterwards; for I cannot observe that it bears either directly, or indirectly, upon the point in question.

3. There are many other objections to the remarks you have made; but as my object is rather to obtain the substance, than to discuss opinions, I will come at once to the second point of your observations, and, as I believe (for I do not clearly understand what is intended by the amendment,) that your object is to carry the point under certain protections, and as no part of my scheme was to take advantage of the Service and avail myself of the benefits, (however legally entitled,) of the newly established Fund for Children, at a price less than the value of those benefits; I have submitted another proposition, which I shall feel obliged by the Trustees submitting to the Service:

4. The object of this proposition is, to allow to the children, (for to the Widow it makes no difference,) of a Member, without reference to the old or the new Annuity Funds, the benefits of the newly established Children's Fund, and that the Member should subscribe a greater, or exactly the same sum, as if he had retired on the higher Annuity of the New Annuity Fund; by the admission, therefore, of this indulgence, the newly established Fund for Children will, in fact, be rather a gainer in the way of subscriptions, and the Service, generally, will obtain an Annuity-for if one Member took a minor Annuity from the New Fund, they would have, I believe, for that year, two Annuities only, instead of three. To all those who entered the Service after A. D. 1825, it is advantageous in every way, for they have no claims on the old Fund; they gain, therefore, not only a step, but save the reduction of a retiring Annuity on the New Fund,

5. I beg, at the same time to distinctly observe, although I am willing to enter into any arrangement, in the way of subscriptions, for the benefit of securing to my family, without doubt, after my death, these advantages, that I conceive they are legally entitled to the full benefits of this newly established Fund, as the case now stands, having myself become a Subscriber to it, and as there are, and may be, many others, who hold the same opinion, as myself, it is the duty of the Service at large, to set the question at rest, either by causing some modification of the Rule unanimously, or taking a legal opinion on the subject; for however a Member himself may feel, the Service may rest assured his family will thereafter insist on their rights; and that where the rights of individuals, or their families, are concerned, it is not in the power of any majority of the Service, to interfere, or alter such right, without the full consent of the individual himself; and I very much doubt, where any Member, who has been permitted to join this association for the benefit of his Children, which is nothing more than a private Insurance, such Children could be excluded under any circumstances, so long as he had, during his life, regularly contributed his subscriptions according to the terms agreed: and I moreover believe, a Member himself, who has, during his life, regularly contributed, has no power, either to alter, will away, exclude, or control, the benefits thus secured to his family, by his own means. That they must, of necessity, go to his family and were this not the case, no agreement or Insurance would be worth a year's subscription; and that his family could only lose their rights, by the subscriptions not being paid, and in the event, evenof a Member not paying them up himself, it would be perfectly competent for any other person so to do, to insure to the family the succession of the advantages ensured.

6. I beg this Letter, with the appended proposition, may be submitted to the Service, leaving my brother servants to judge and decide, whatever may be their present prosperity, whether it is within the range of possibility the case illustrated may ever be their own.

I have the honor to be,
SIR,
Your most obedient Servant,
A. N. SHAW.

Belgaum, 6th Oct. 1841.

Proposition.

That any servant, reverting to the old Fund, and accepting an annuity of £400 per annum, shall pay subscriptions to the Provident Fund, established for the benefit of Children, at the same rate and amount, as if he had actually retired on an Annuity from the New Fund *i. e.* a Member retiring on the Annuity of £400 per Annum, who has resided in the Service 22 years, shall subscribe as if he enjoyed an Annuity of 1000£; if under that time of Service, at the rate, as if he enjoyed an Annuity of 500 per Annum.

Proposed by A. N. SHAW,
Seconded by A. CAMPBELL.

SUPPLEMENTARY LETTERS, MEMORANDUM, AND MINUTES.

Letter from Mr. Greenhill, dated 5th November 1841, to the Secretary to the Civil Fund.

To,
W. R. MORRIS Esq,
SECRETARY TO THE CIVIL FUND,
Bombay.

SIR,

I have the honor to request, that you will do me the favor of placing the enclosed letter before the Trustees, excluding my name in its circulation, and to be,

Sir,
Your most obedient, Servant.
D. GREENHILL,

Mazagon, 5th November 1841.

Letter from Mr. Greenhill, without date, to the Trustees of the Civil Fund.

To,
THE TRUSTEES OF THE CIVIL FUND.

Gentlemen,

After private communication with Mr. Morris on the subject of the Postscript to his Minute of the 18th October, which alludes to the information of Mr. Pringle's Minute having been withheld from him, although if Mr. Pringle himself be satisfied, I think no other person has any right to complain in the matter, I would still wish to explain to you and my other Brother Civilians the circumstances that prevented the information being given in a private shape to Mr. Morris, which simply are, that on Mr. Pringle first writing to me his view in a private letter, to assist apparently in the preparation of any Official Minute that might be under consideration at the Presidency, I suggested in reply, that it would be better that he should himself put in a Minute, as the best method of placing his opinion before the Service. Mean while the substance of his private letters (for I received more than one) became the subject of conversation, as I did not scruple to shew them to any friend who expressed a desire to peruse them, but I did not, under all the circumstances feel authorized to send them to Mr. Morris, without Mr. Pringle's particular sanction, the more especially as Mr. Pringle might have wished to make alterations, and was preparing a Minute which would put Mr. Morris in full possession of his view of the question in a perfect shape. In sending his Minute of the 4th, Mr. Pringle requested me to point out any alterations that might suggest themselves,

and this giving rise to several references, I did not receive the final correction, till the evening of Saturday the 16th, and introducing the amendment, I despatched it from my house on Monday morning, the 18th, along with Mr. Pringle's first official letter accompanying it, dated the 4th.

It does not however appear to me, that the Secretary has any exclusive privilege of replying to Minutes, and therefore that, had the information in question been communicated to Mr. Morris either privately or officially, it was not open to him for public observation. The proposer of a question is the party entitled to a reply, and if any one could claim the privilege, I had at least an equal right, to answer both Mr. Morris' Minute and Mr. Crawford's, which on some points I should have been glad to do, had a proper occasion offered.

For the same reason that I have thought it right to acquaint you with these details, I would beg you to do me the favor of communicating this letter, to my Brother Servants, as a Postscript to the Printed Papers.

I have the honor to be,
Gentlemen,
Your Most Obedient Servant,
D. GREENHILL.

Memorandum by the Secretary in circulating the foregoing Letters.

In sending round, for the instructions of the Trustees, the accompanying two letters, one of this day's date, and one without date, just received from Mr. Greenhill, I beg to annex a copy of the reply which I returned to an application made direct to myself on the same subject.

Copy.

Mr. Morris has to acknowledge the receipt of Mr. Greenhill's letter of this day's date, and begs to state that having been detained at home by domestic affliction, that letter has only just reached him, or an earlier reply would have been returned.

On the point noticed in Mr. Greenhill's communication, Mr. Morris has only to remark, that having been repeatedly interrogated on the subject of the Minute forwarded by Mr. Pringle, and having been informed that the perusal of the same had been withheld from him, he thought it right in his own justification to state what he did, but which he did not conceive would bear any other interpretation than that under the circumstances of the case, it was impossible that he could have seen the Minute, and that the arguments adduced in it could not be answered.

Mr. Morris would remind Mr. Greenhill, that he stated the same fact in an Offiical Memorandum circulated by him as Secretary to the Fund on the letter addressed to him by Mr. Grant, and in which allusion was made to the same Minute.

Mr. Morris has in conclusion only to add, that his sole object in stating what he did, was to exonerate himself from any neglect which might be ascribed to him, and which, as he had heard, Mr. Pringle's Minute generally spoken of, and discussed in the public prints, he thought it right distinctly to allege, that he was informed that its perusal had been purposely withheld from him, and in doing so, he is not aware that he has asserted more than the fact.

Braganza House, 2nd November 1841.

In the foregoing letter the Trustees will find all that I consider it necessary to state, and I am well content to leave the disposal of the matter in their hands.

Bombay, Civil Fund Office, 5th November 1841.

W. R. MORRIS,
Secy. Civil Fund.

Minute by Mr. Bruce, concurred in by Mr. Willoughby and Mr. Webb.

The Trustees not being called upon for any opinion on the question which these papers refer to, I have only to observe, that I see no objection to Mr. Greenhill's letter being communicated to the Service as he requests together with Mr. Morris' explanation as contained in the accompanying copy of his letter to that Gentleman'

I would only take the liberty of remarking upon that part of Mr. Greenhill's letter which questions any exclusive right of reply on the part of the Secretary—to Minutes—that in this instance attacks having been made from so many quarters upon Mr. Morris' Annuity Scheme, it seemed but fair to him, as well as to the Service at large, whose interests it so deeply concerned, that every possible opportunity should be afforded to him of being made acquainted with what was said against it—before he entered on its defence—but I say this without at all meaning to impugn, or offer any opinion, upon the sufficiency of Mr. Greenhill's reasons for not forwarding Mr. Pringle's Minute, at an earlier period.

5th November 1841.

W. C. BRUCE.

I concur.

J. P. WILLOUGHBY.
R. T. WEBB.

Minute by Mr. Pyne.

I concur with Mr. Bruce in opinion, that this is not a subject for the consideration of the Trustees—and I think therefore, we should confine ourselves to intimating the same to Mr. Greenhill.

6th November.

J. PYNE.

APPENDIX C.

Minute by Mr. Boyd on Proposition 1st.

I vote Pro. because I am convinced that we have no right whatever to upset claims to Pensions sanctioned *simpliciter* at $\frac{1}{4}$ value up to the end of April | 42.

No man is more aware of the value of the Secretary's opinion on Fund questions than myself, but I vote here neither for one plan nor another—it is true that such votes as mine in majority may essentially upset a contemplated plan; but if that plan can only be sustained by our retaining what we have no right to withhold it must be perilled or lost, however good, or excellent.

8th November 1841. W. S. BOYD.

Minute by Mr Pringle.

Having already recorded my opinions on a question connected with the first Proposition submitted for our votes, I should not have thought it necessary to revert to it, did not a Memorandum of Mr. Morris, which has been circulated in the interval, appear to call for some remarks.

2d. Mr. Morris is correct in stating the question at issue between us to be a fundamental one, but I conceive him to be incorrect in describing it as one of facts and not of reasoning—As regards our facts, or I should rather say our premises, we are at one; both being willing to admit the applicability of the Actuary's rates of mortality—It is on the deduction to be drawn from them that we differ; Mr. Morris affirming them to authorize the conclusion that about one half only of the Members in the Service would live to the age of 45, while I maintain that nearly three fourths of those under that age would reach it, and consequently that a still larger proportion of the whole Service would reach or had already reached it.

3d. The error into which I conceive Mr. Morris has fallen is in applying to the survivors the proportion of deaths applicable to the entrants. It is quite true, as stated by him, that according to the Actuary's rates of mortality, nearly one half, or to be precise $\frac{2}{5}\frac{9}{7}\frac{1}{4}\frac{0}{4}$, of those who enter the Service at 20 will never reach the age of 45; but of those simultaneously existing in it at all intermediate ages, and who have severally survived more or less of the interval, the proportion who would come short of its completion is, in a community uniformly maintained, only $\frac{1}{4}\frac{0}{8}$, as may be calculated from the 37th para: of the Actuary's first report.

4th. This proportion, on a Service so maintained, and consisting of 126 Members under the age of 45, which was the case with our Service in the year 1838, would give 36 deaths and 90 survivors. My calculation gave, for the actual state of the Service at that period, 32 deaths and 94 survivors—The difference arises from the irregularity with which the Service has been recruited, which had placed a larger proportion of lives in the higher ages, and consequently at shorter risk, than would be found in a uniformly maintained community,

5th. Mr. Morris refers in support of his opinion to the scale of survivorship on which the Annuity Scheme was originally based by the Court of Directors; but the provision, under that Scheme, of 75 Annuities for 150 Members, in 25 years, does not authorize the conclusion that $\frac{7}{1}\frac{5}{5}\frac{0}{0}$, or one half, would die between the ages of 20 and 45; because in the first place the 150 contains a portion above the age of 45; secondly, the estimated casualties included early retirements as well as deaths, and lastly and principally Annuities were avowedly provided for only $\frac{3}{4}$ths of the resident survivors, consequently the estimated number of survivors must have been somewhat upwards of 100, which would bring the proportion of deaths under the age of 45 to less than a third of the whole, as calculated by the Actuary and myself.

6th. The process by which this result is obtained is, I repeat, one of pure reasoning, and if further consideration should not satisfy Mr. Morris, or such gentlemen as may take the trouble to investigate it, of the correctness of my reasoning, I am quite ready to accede to his proposal that it should be submitted to Mr. Davies or any other scientific gentleman whose opinion may carry with it more weight than mine, I also agree with Mr. Morris that, being a question of fundamental importance, it is most desirable it should be placed beyond the possibility of doubt.

7th. Mr. Morris remarks upon my not having applied my arguments to the modified plan temporarily sanctioned by the Court of Directors—It did not come within the scope of my enquiry to investigate the merits of that plan, which had never been under discussion; but I do not know why it should have been inferred that I had adopted in respect to it conclusions different from those to which my reasoning seemed to tend,

8th The introduction of personalities in a discussion of this kind is neither pleasant nor profitable, and may not be altogether in good taste, but as an acquiescence in the suspicion intimated in the postscript to Mr. Morris' memorandum might be misinterpreted into an admission of its justice, I may be permitted to observe that as regards myself it was without foundation.

Dhoolia, 18*th November* 1841. R. K. PRINGLE.

Letter from Mr. A. N. Shaw, dated 29th September 1841.

To,

W. R. MORRIS Esq.

Secretary to Civil Fund, Bombay.

Sir,

Understanding it is in contemplation to make alterations in the Annuity Branch of the Civil Fund, I do myself the honor to state, that no majority in the Service has any power to alter or vote away the legal rights of any individual, contrary to his wish, and, as I have never given my assent to the modifications

proposed, of making five Annuities supply the place of six, and absorbing the present superfluous Annuities at the same time, and look upon the whole measure as visionary, and not calculated in the state of the Service at this moment to be generally beneficial; I hold to myself, the right of judging for myself, in acceding to this proposition or otherwise, should the Court of Directors sanction the plan, and of returning, if I please to the old Fund, the privileges of which I bartered alone for the certain advantages of new Annuity Fund, as established in A. D. 1824.

2. I regret to observe that the Trustees have deviated from their duty in not calling a General Meeting of the Fund, made, in accordance with the Regulations, by nine Members, and, that they should have constituted themselves judges, on a question of so much importance to many Members.

3. I beg you will do me the favor of laying this letter before the next Public Meeting.

I have the honor to be,
Sir,
Your Most obedient Servant,
A. N. SHAW,
C. S.

Belgaom, 29th September 1841.

Minute by Mr. Malet.

I have voted against the first Proposition because whatever may be the effect of our former resolution, I consider that we have not the option of appropriating the Annuities tendered by us for a specific purpose to the Hon'ble Court until its definite answer is received.

Bhooj, 19th November 1841. A. MALET.

Minute by Mr. Lumsden.

I vote against the 1st Proposition because I have full confidence on the judgment and disinterestedness of our Secretary, and not having the means of inquiry at my disposal, I think it safer to abide by his opinion than by that of any other writer on the subject.

I desire at the same time to record a partial dissent from the view taken by Mr. Crawford in the 16 and 17 paras. of his Minute of the 20th October.

In my opinion if the Court chose to "affix an indefinite limit to the period during which they would abstain from offering any remark on the new Scheme" there is no *breach of faith* in the Service recalling its application if on a reconsideration it appear disadvantageous to persist in it.

The Service clearly have this right, or the Court, by abstaining from a decision, might keep the interest of Members in abeyance for any period.

Whether the present Proposition be the proper mode of recalling our application to the Court, (especially as we have every reason to expect a speedy reply to the urgent letter of the Trustees under date 6th November 1840) is another question.

I also desire to record my marked dissent from the recent comments upon the conduct and motives of the Secretary and the Trustees. I believe them to have been actuated solely by a sincere desire to promote the true interests of the Service, and by the acts of that Service they were fully justified in the course which they have adopted.

Morvee, 22nd November. J. G. LUMSDEN.
C. S.

Minute by Mr. G. J. Blane, concurred in by Mr. Suart.

In giving my vote in favor of Proposition 1st or Mr. Greenhill's Proposition, I do so without reference to the Scheme of Mr. Morris, the merits of which form in my opinion no part of the question at present before the Service for decision. The question really is whether, under the circumstances of Mr. Morris' plan not having been taken into the consideration of the Hon'ble Court, as was expected by the Service, the orders of the Court regarding the limited modification of the ½ value Scheme are not in the mean time to be acted on. This question does not appear necessarily to involve the overthrow of Mr. Morris' Scheme, nor does it follow that, if Mr. Greenhill's Proposition is carried, the Service thereby stultifies its former vote. We are not required to abandon the Scheme altogether nor to withdraw our vote. It will be simply necessary to intimate to the Hon'ble Court that owing to several of the Unappropriated Annuities having been taken, the Fund is no longer in that position which would enable it for the present to adopt Mr. Morris' Scheme should it be approved of by the Court. It does not appear to me that we never shall be in this position again, that "the deed once done cannot be undone" as affirmed by Mr. Morris. On the contrary should the Service at large or the requisite majority at any future time, when our means will allow of it, still adhere to the vote which they have deliberately passed, it will then be time to reconsider the Scheme. Further experience will test the correctness or otherwise of Mr. Morris' calculations, and I am strongly of opinion that time will only prove the soundness of his views. If, as Mr. Morris argues, in his Memorandum of the 18th ultimo, we shall never be able to revert to his Scheme, he adduces I think a strong argument against the adoption of it, for he thereby infers that all the surplus Annuities will be taken. I anticipate however no such result; on the contrary I think that the ½ value Annuities will not be so readily taken as some expect, and that we shall consequently soon again have a sufficient number of Unappropriated Annuities to be enabled to solicit the Hon'ble Court's consideration of the Scheme, should it be the wish of the Service to do so.

November 13th 1841. G. J. BLANE.

I entirely concur with Mr. Blane and adopt his view of the matter in every way as my own.

E. M. SUART.

ON PROPOSITIONS 2nd and 3rd.

Minute by Mr. Shaw.

I disapprove of the principle generally of excluding the families of a Member dying under suspension from the benefits of the Fund, as unjust.—It is convicting a Servant and punishing him, before he is heard,—Besides Members of the Civil Service have ere this been suspended for having intemperately conducted an argument with the head of a Department, and other trifling causes, not requiring very severe punishment.—The Regulation should be revised.

I have also voted in favor of Mr. Grenhill's Proposition, but I maintain that no majority of the Service has any power to interfere with the vested rights of any individual Member. I bartered my rights on the Old Fund, for certain and defined rights on the New Fund. I have never agreed to this Biennial Scheme, which I conceive (setting all other questions aside,) as inadequate to the wants of the Service, at large, and as beneficial merely to a few Seniors.

Patna, 8th Nov. 1841. A. N. SHAW.

I have voted against Proposition No. 3 as I do not think any one but Mr. Grant's children's guardian as competent to bring such a proposition forward, and he could refuse to accept the Annuity offered to the Children if he thought fit.

A. N. S.

To,
W. R. MORRIS Esq.
Secretary to the Civil Fund, Bombay.

Sir,

I have the honor to return the enclosed Propositions which accompanied your letter of the 30th ultimo, together with a few remarks on Propositions 2 and 3.

I have the honor to be,
Sir,
Your most obedient Servant,
W. COURTNEY,
Civil Service.

Sawunt Warree, 10th November 1841.

Remarks by Mr. Courtney on Propositions Nos. 2. and 3.

No. 2. I cannot support the present Proposition; as I conceive that by the Rule as it now stands, the interests of a suspended Member, and of consequence those of his family, can only revive by his *restoration to the Service*; and as Mr. Grant was never restored, the only means of revival recognized by the Rules of the Institution remain unaccomplished; and therefore his family have no claim of *right* on the Fund.

No. 3. I vote against this Proposition, because the fact of a single Member of the Institution reagitating the question, cannot, I conceive, nullify the grant already conceded by the whole body.

Sawunt Warree, November 10th 1841. W. COURTNEY,
C. S.

Minute by Mr. Davies.

On the question of the late Mr. Grant's Children I beg to record my full concurrence in the views and sentiments expressed in their respective Minutes by Messrs. Gordon and H. Young.

Allebaugh, 8th November 1841. J. M. DAVIES,
C. S.

APPENDIX D.

W. R. MORRIS Esq.
Secy. to the Civil Fund.

Sir,

We have perused, with feelings of great interest, the Proceedings of the General Meeting, with reference to a Proposition submitted by Mr. J. Gordon, to the following effect:

"That the Regulations of the Bombay Civil Fund do not specially provide for the case of the Widow "and Children of a Member dying while under suspension," and following up this general view of the case, the Proposition proceeds "and therefore that the Children of the late Mr. Grant are entitled to such privileges "and rights as they would have enjoyed if their father had died under ordinary circumstances." The Trustees, in the 7th para: of their report, have delivered their opinion that, if this Proposition be sent to the Service, the Resolution passed at the last General Meeting, on the 3rd November 1840, granting certain Pensions to the late Mr. Grant's Children, must be considered as cancelled.

On this opinion it seems that Mr. Elliot framed his proposition: At any rate it carries with it the added weight of the expressed opinion of the Trustees, and we beg respectfully, but urgently, to protest against it, not only on account of the principle which it involves, but for the serious consequences to the parties chiefly interested, which may attend its adoption. We protest against the principle of such a proposition. We do not believe that the Service has the power to recall a Pension which has been once formally granted, without some specific cause provided for by Regulation. With such a precedent before us, what guarantee can we offer for the stability of our pledges or resolutions;--or how could we be assured that a party, whose Pension had been conferred on him by the votes of one set of Subscribers, might not be deprived of it at the option of another? It is true that if the decision on Mr. Gordon's proposition prove favorable, the former resolution is virtually cancelled, as the gift merges in the right; but we maintain that the mere discussion of a claim, cannot render a gift invalid. As to the consequences, if the proposition be circulated simultaneously, and if the Trustees' opinion be correct, it would appear that suddenly, and without any cause arising from themselves, these Orphans will find themselves deprived of the means of subsistence, by a third party originating a discussion on their claims, possibly without any communication with the Executors, but solely with a view to obtain what he may consider strict justice, for those on whose behalf no one else has demanded it. The harshness of such a procedure is self apparent, but we appeal to the Service if it be just. We therefore suggest, with every respect for the Trustees, that the opinion of the Service should first be taken upon the principle contained in Mr. Elliot's proposition. After that is known, the Executors of the late Mr. Grant, in concert with Mr. Gordon, can secure a decision on this Gentleman's proposition, should it then be judged expedient.

We further perceive from the 7th Para. of the Proceedings that an appeal was submitted to the Trustees by Dr. Johnstone, which advocated the Children's claims. In this memorial the question of right, as we have reason to know, was ably argued, and if the request be not out of rule, we are of opinion that when Mr. Gordon's proposition may be submitted for the votes of the Service, Doctor Johnstone's memorial should be printed and circulated along with it.

We have the honor to be,
Sir,
Your obedt. Servants,
A. MALET.
J. G. LUMSDEN.

Bhooj, 12th October 1841.

APPENDIX E.

No. 2691 OF 1841.

GENERAL DEPARTMENT.

To,

THE TRUSTEES OF THE CIVIL FUND.

GENTLEMEN,

I am directed by the Hon'ble the Governor in Council to transmit for your information the annexed Extract, paragraph 19 of a despatch from the Hon'ble the Court of Directors (No. 5) dated 31st March last, respecting Mr. Baber's resignation of the Civil Service, and acceptance of an Annuity from the Civil Fund.

I have the honor to be,
Gentlemen,
Your most obedient Servant,
W. R. MORRIS,
Secy. to Govt.

Bombay Castle, 20th August 1841.

Extract para. 19 *of a despatch from the Honorable the Court of Directors, Dated* 31*st March* 1841, *No.* 5.

(50 @ 56) correspondence with Mr. Baber subsequent to the receipt of Court's decision on his case.

19. Mr. Baber's resignation of the Service, and acceptance of the Civil Fund Annuity, were very properly considered to have taken place from the date when he originally tendered them; the amount intermediately received by him as a Civil Servant out of employment, being deducted from the arrears of the Annuity.

(True Extract.)
W. R. MORRIS,
Secy. to Govt.

THE HON'BLE G. W. ANDERSON,
Governor and President in Council.

HON'BLE SIR,

We have the honor to acknowledge the receipt of Mr. Secretary Morris' Letter of the 20th ultimo, with its annexed Extract of a dispatch from the Hon'ble the Court of Directors dated the 31st March last, respecting Mr. Baber's resignation of the Civil Service, and his acceptance of the Civil Fund Annuity, and beg respectfully to intimate, that the question of antedating the Annuity granted to Mr. Baber having been regularly submitted for the votes of the Service, a Resolution negativing his claim was passed by the Service at a General Meeting held on the 3rd November 1840, and under which we feel that we are precluded from taking any further steps for its adjustment.

We have the honor to be,
Hon'ble Sir,
Your most obedient Servants,
J. WILLIAMS.
W. C. BRUCE.
J. PYNE.
J. P. WILLOUGHBY.
D. GREENHILL.
W. R. MORRIS.

Bombay, Civil Fund Office, 14th September 1841.

APPENDIX F.

To,
The Secretary to the Civil Fund.

SIR,

I have the honor to request you will have the goodness to inform the Trustees of the Civil Fund that I am prepared to accept one of the Pensions of £1000 per annum, provided it is available at one quarter value, payable quarterly, and to the day of death.

2. I intend to continue my subscription to the Charitable Branch of the Institution on the amount of my pension.

3. I beg to enclose a certificate of my age as required by the Regulations.

I have the honor to be,
Sir,
Your most obedient Servant.
J. VIBART.

Camp Mahabuleshwur, 17th May 1841.

J. VIBART Esq.
Civil Service, Poona.

SIR,

I have had the honor to receive and lay before the Trustees your letter of the 17th Instant, and in reply am instructed to state, that an Annuity, on the conditions specified, will be available for your acceptance whenever you may render yourself eligible for it by tendering your resignation of the Service.

I have the honor to be,
Sir,
Your most obedient Servant,
W. R. MORRIS.
Secy. Civil Fund.

Bombay, Civil Fund Office, 31st May 1841.

To,
W. R. MORRIS Esq.
Secy. Civil Fund.

SIR,

As I find from the late discussions that it is considered that only two Annuities are at present available at one quarter value, I have the honor to request, with reference to your letter dated 31st May last, that you will be pleased to inform me whether one of the above Annuities at one quarter value is *secured* to me provided I resign the Service within the present official year.

2nd. I am anxious to have this point placed *beyond doubt* before I tender my resignation to Government. My impression is, from your letter above quoted, that one of these Annuities is actually mine at this time, and that it cannot be given to any other Member of the Service. Article XIV. Section 8th of the Civil Fund Regulations only requiring me to resign sometime previous to the 1st May 1842.

I have the honor to be,
Sir,
Your most obedient Servant,
J. VIBART.

Poona, 15th September 1841.

J. VIBART Esq,
Civil Service, Poona.

SIR,

I have had the honor to receive and lay before the Trustees of the Civil Fund your letter of the 15th instant, soliciting information whether under my letter of the 31st May last an Annuity at one quarter value is secured to you provided you resign the Service within the present official year.

In reply I am directed to state, that having completed your period of Service and residence when your application of the 17th May last was made, and an Annuity being available, it was intimated to you that all that was requisite to render you eligible for the acceptance of an Annuity was your resignation of the Service without which as defined in Section 3. of Article 14. of the Regulations you could not be entitled to it. It is true, as indicated by you, that the remaining portion of that Section allows a Member to retire during any period of the year, but the chief object to which it is directed is the mode of adjustment to be adopted when the resignation of the Service takes place after the 1st May, since it in no manner determines the period for which it may be deferred, that depending on the pleasure of the Member. It is clear that the title to the Annuity not being secured until the resignation has actually taken place, it is not within the power of the Trustees to ensure you an Annuity except under your compliance with that restriction, and when an Annuity, as at present, is available in arrear.

I have &c.
W. R. MORRIS,
Secy. to Civil Fund.

Bombay Civil Fund Office, 18th September, 1841.

To,
W. R. MORRIS, Esq.
Secy. Civil Fund, Bombay.

SIR,

I do myself the honor to acknowledge the receipt of your letter dated 18th instant, intimating to me that the Trustees have determined that no Annuity can be secured to me until my resignation has actually taken place.—From this I infer, that in the event of my tendering my resignation from the 1st March next, any other Member might by resigning the Service even a day before the time fixed by me become entitled to the Annuity before me, and consequently that my priority of application and seniority in the Service would avail me nothing.

2. If this is the meaning of the Trustees, I beg to state, that I conceive they are acting in direct opposition both to the letter and spirit of the Regulations of the Fund.

3. In conformity with Section 7, Article 14, I intimated to you my intention of accepting an Annuity and furnished you with the prescribed Certificate of my age. This was sufficient according to my reading of the Regulations to secure me the Annuity on my resigning the Service within the year, in conformity with Section 8th of the same Article—and such it strikes me must also have been the view of the matter taken by the Trustees in the first instance—judging from your letter dated 31st March last, in which you state, by desire of the Trustees, that an Annuity WILL be available WHENEVER I qualify by resigning the Service—if this letter then means any thing, it is simply this, that an Annuity is placed at my service *without reservation*—all that I am called on to do, is, to resign in accordance with Section 8—I could never have supposed from this letter that it was the intention of the Trustees to deprive me of the privileges guaranteed by the above quoted Section.

4. On the faith then of this letter and the Regulations of the Fund I made preparations for leaving India and engaged my passage in the March Steamer, and have consequently, under the present reading of the Regulations by the Trustees, subjected myself to useless trouble and expense—I may perhaps consider myself lucky in not having tendered my resignation as I intended to do from the 1st March next, or I might have found myself in the pleasant predicament of having both lost the Service and the Annuity.

5. By the present decision of the Trustees neither priority of application nor seniority of Service give any claim to these Annuities, tho' I must say I can find no authority given by the Regulations of the Fund to empower the Trustees to set them aside; the latter, seniority, being distinctly recognized by Section 13th, Article 14th. It will perhaps be urged that seniority is only recognized in the case of applications made before the commencement of the year. I grant that the Regulations only mention the claim in this case, but still they do not bar it to any other, and without their doing so the Trustees have not certainlythe power.

6. However I would beg to know why the provisions of Section 13 were not complied with this year—as far as I know, no requisition was made by the Secretary to Members qualified to accept the Annuities, to declare their willingness to do so before the close of the year—recollect I speak on this point only as far as my knowledge goes; the requisition may have been made without my knowledge, and if so, I write under correction. Had the requisition been made to me I might then have accepted one and remained in the Service until the commencement of March without question.

7. I may perhaps after all have mistaken the meaning of the Trustees, and that the simple tendering now of my resignation from the 1st March will *secure* me the Annuity from that date. If, however, such be not the intention of the Trustees, and I am still to be left in uncertainty even after having taken this step, and still liable to see the Annuity on which I reckon, appropriated by a Junior, who at the *time* I tendered my resignation may have not even intimated his intention to do so, or who was not even *then* qualified to accept an Annuity, I must appeal to the Service on the point, as I cannot possibly subscribe to the power now sought to be exercised by the Trustees, of setting aside priority of application and seniority of Service, as well as debarring me from the privileges secured to every Member by the provisions of Section 8, Article 14.

Poona, 23d Sept. 1841.

I have the honor to be,
Sir,
Your most obedient Servant,
J. VIBART.

J. VIBART Esq.
Civil Service, Poona.

SIR,

I have had the honor to receive and lay before the Trustees of the Civil Fund your letter of the 23d instant.

2. In reply I am directed by the Trustees to express their regret, that you should have assigned the interpretation which you have given to the intimation conveyed in my letter of the 31st May last, but looking to the period of the year when your application was preferred, to your being duly qualified at that time to accept an Annuity, and to the fact that none but Annuities in arrear could then be available, the Trustees do not perceive how your acceptance could have been otherwise met than by the announcement made to you, that an Annuity was available for your acceptance whenever you might render yourself eligible for it by tendering your resignation of the Service.

3. I am further directed to explain, that under the course of proceeding which has hitherto been adopted, all Annuities in arrear are held to be available to Members duly qualified by residence and service, on their resignation of the Service, and that in the grant of such Annuities seniority gives no preference, the period having expired when the latter rule was applicable by the Annuities not having been accepted at the time of their being declared. If in pursuing this practice the Trustees have been correct, and there seems no other course open to adoption, seeing that when an Annuity is available in arrear any Member can claim it on conforming to all the conditions prescribed in the Regulations, it must necessarily follow, that the Trustees are not vested with authority to keep an Annuity in reserve, as you seem to have anticipated.

4. In regard to the offer required to be made under Section 13, of Article 14, the practice has fallen into desuetude since the time when so many Annuities had accumulated in arrear, and when an Annuity was available to a Member at any time when he choose to apply for it, being duly qualified and resigning the Service.

5. A requisition will however, under the instructions of the Trustees, be now immediately made in relation to the Annuities of 1842, when you will be enabled to record your name for one of the Annuities commencing on the 1st May next, and in which seniority will take precedence.

6. For the two Annuities at present in arrear, under the intimation above conveyed, it will be apparent that in the opinion of the Trustees priority of claim can only be maintained by priority of resignation in the case of a Member duly qualified.

I have the honor to be,
Sir,
Your most obedient Servant,

Bombay, Civil Fund Office, 28th September 1841.

W. R. MORRIS,
Secy. Civil Fund.

To,
W. R. MORRIS Esq.
Secretary to the Civil Fund, Bombay.

Sir,

With reference to my Letter of yesterday's date, I beg to correct a mistake that appears to have been made in the concluding para.—It should have run thus—" under these circumstances I cannot rest satisfied with the decision of the Trustees, and must request that the point at issue be submitted to the Service viz. whether the omission on the part of the Trustees to make the requisition directed in Sec. 13, Article 14 is to prevent my obtaining one of the Annuities now in arrear at one quarter value" Perhaps the Trustees will allow the Letter in question to be returned.

Your's obediently,
J. VIBART,
C. S.

Poona, 2nd October 1841.

J. VIBART Esq.
Civil Service, Poona.

Sir,

I have had the honor to receive and lay before the Trustees, your two letters of the 1st and 2nd Instant, and in compliance with the request contained in the concluding paragraph of the latter, beg to return the former letter for the purpose of undergoing such corrections as you may think necessary.

I have the honor to be,
Sir,
Your most obedient Servant,

Bombay, Civil Fund Office, 7th October 1841.

W. R. MORRIS,
Secy. Civil Fund.

To,
W. R. MORRIS Esq.
Secretary to the Civil Fund.

Sir,

I do myself the honor to acknowledge the receipt of your letter dated the 28th ultimo, intimating to me that in the opinion of the Trustees seniority gives no claim to the Annuities now available " the period having expired when this rule was applicable, by the Annuities not having been accepted at the time of their being declared."

2nd. I beg to state in reply, that the two Annuities now available were *never* declared according to the Regulations of the Fund, and consequently, I never had an opportunity given me of accepting one.

3rd. The Trustees as stated in the 4th para. of your Letter have thought fit to set aside the provisions of Section 13, Article 14, and now wish to make me pay the penalty of their own breach of the Regulations, and not content with placing one of the provisions in abeyance, follow it up with declaring that the consequence of their own act is, that I am to be deprived of the benefits of Section 8 also.

4th. The reason assigned by you for the abeyance of Section 13, Article 14, is, that the number of Annuities in arrears enable a Member duly qualified to accept one when he resigned the service. I would beg to ask, how many were in arrear at the time it was incumbent on the Trustees to make the requisition? I think it will be found, there was not a sufficient number to have supplied all the Members duly qualified had they been all willing to have accepted them.

5th. However, under *any* circumstances I consider that the Trustees have no power to alter or place in abeyance any of the provisions of the Regulations; if they do posses it, the Code is useless, and might at once be consigned to the flames. A provision of the Regulations has now been set aside by which my Interests have been vitally injured, and all the redress I get is being told, that in future the Regulation will be acted on, and that in the next year I shall be allowed to avail myself of my seniority in accepting one of those for 1842; by this I lose one at a quarter value, and have a chance of securing one at half value, as I believe the time allowed by the Court for one quarter value Annuities expires on the 30th April next.

6. Under these circumstances I cannot rest satisfied with the decision of the Trustees, and must request that the point at issue be submitted for the votes of the Service, vizt. whether the omission on the part of the Trustees to make the requisition directed in Section 13, Article 14, is to prevent my obtaining one of the Annuities of 1841 *now* declared by the Trustees available at one quarter value, under the conditions of Section 8, of Article XIV. I would beg to add, that in all probability the votes of the Service will make the reserved Annuities (7 in number I believe) at once available, in which case the decision of the Trus-

tees will not affect my interests, but still I think it should be decided whether they possess the power they now wish to exercise of setting aside the Regulations at their own will and pleasure.

I have the honor to be,
Sir,
Your most obedient Servant,
J. VIBART.

Poona, 11th October 1841.

J. VIBART Esq.
Civil Service, Poona.

SIR,

I have had the honor to receive and lay before the Trustees of the Civil Fund your letter of the 11th instant, and in reply am directed to inform you, that your letter under acknowledgment with all the previous correspondence will be laid before the next General Meeting.

I have the honor to be,
Sir,
Your most obedient Servant,
W. R. MORRIS,
Secy. Civil Fund.

Bombay, Civil Fund Office, 21st October 1841.

APPENDIX G.

SIR,

I have the honor to request that you will lay before the Trustees of the Civil Fund the following statement of my case for their favorable consideration.

When I left Bombay on sick certificate in February last, I was, thro a mistake of the Secretary, who imagined that I had completed a residence of 10 years, admitted to a furlough allowance from Government of £ 250 per annum.

The error was immediately noticed at the India House and my allowance stopped. I petitioned the Court of Directors, who, taking the hardship of my case into consideration, consented to allow me £ 170 per annum for 3 years, making with the £ 50 already granted by the Civil Fund, a total of £ 220.

I have not a copy of the regulations to refer to, but I know that a Member of the Civil Fund going to Europe on sick certificate is entitled to £ 300 per annum if a senior merchant, and a married man, should he have no claim on Government for furlough allowance.

By the trouble I have taken in obtaining an allowance from the Court of Directors I have saved the Fund £ 170 per annum. I now request that, that an order may be given to the Agents of the Fund to pay me the balance necessary to complete an Annuity of £ 300 for 3 years from the date of my leaving Bombay.

I have the honor to be,
Sir,
Your obedient Servant,
G. A. E. CAMPBELL,
Bombay Civil Service,

Cheltenham, September 28th, 1841.

Address.—Care of Messrs. Grindlay and Co. No. 16, Cornhill, London.

G. A. E. CAMPBELL Esq.

SIR,

The Court of Directors of the East India Company having had under their consideration, your Letter of the 22nd June, in which you again bring to their notice the circumstances under which you returned to this country on sick certificate, I am commanded to acquaint you, that they have now resolved upon making a special exception in your favor from the regulations regarding the grant of absentee allowance, so far as to issue to you an allowance of £ 170 per annum for three years, from the date of the commencement of your present leave of absence, it being a condition of this indulgence that if, after your return to Bombay, and after completing a residence of ten years, you should be again compelled by illness to return to this country, you will only be entitled to receive the difference between what you will have enjoyed on the first two furloughs, and £ 500 per annum.

I am directed to add, that a warrant has been passed in your favor for £ 69-4-2 being the amount due to you up to the 25th instant, which may be received on application at the Treasury in this House.

I am, Sir,
Your most obedient humble servant,
J. C. MELVILL.

East India House, 26th August 1841.

APPENDIX H.

To,

W. MORRIS Esquire,
Secretary to Civil Fund, Bombay.

Sir,

1. I have the honor to intimate, that it is my wish to pay the additional Subscription of one eighth of one per cent. to secure the full benefits of the Fund to my infant Son, born on the 20th June last.

2. I perceive that by the Rules of the Fund I have rendered myself liable to a fine of 50 Rupees, for not having given notice of my intention within one month from the birth of my Child. This fine I am willing to pay rather than forego the advantages which are gained by the additional contribution as above. At the same time I cannot help remarking on the unreasonable severity of a law (a severity increased greatly in my own instance by the extreme illness of Mrs. Scott during the whole of the allowed period of one month) which punishes a father for omitting to comply with a mere matter of form at a time when his mind is occupied by attention, and harassed by anxiety.

3. If not giving too much trouble, I should wish the question of the expediency of the Regulation referred to, to be submitted to the Service, as I cannot believe it to be the wish of its Members that our Fund should be enriched by taking advantage of the inadvertency of its contributors, and by fines levied where no fault exists.

I have the honor to be,
Sir,
Your most obedient Servant,
P. SCOTT.

Poona, August 28th 1841.

P. SCOTT Esquire,
Civil Service, Poona.

Sir,

Having laid your letter of the 28th ultimo before the Trustees, I am directed in reply to refer you to the 6th Resolution passed at the General Meeting held on the 14th May 1839, under which the rule objected to by you was introduced into the New Regulations, and further to intimate, that it is competent to you to bring forward a Proposition for cancelling the same, but that the Rule having been regularly adopted, the Trustees see no reason for pursuing that course, the object of the Rule being to protect the Fund from loss.

I have the honor to be,
Sir,
Your most obedient Servant,
W. R. MORRIS,
Secretary Civil Fund.

Bombay, Civil Fund Office, 14th September 1841.

W. MORRIS Esquire,
Secretary Civil Fund, Bombay.

Sir,

With reference to Article VII. Section 4th, of the Rules and Regulations of the Bombay Civil Fund, I beg to submit the following Proposition for the votes of the Service.

That any married Member, being desirous of obtaining for his Child, the full benefits of the Institution, be allowed to intimate his intention to the Secretary, within a period of three months from the birth of his Child, without being subjected to any fine, but merely to the payment of interest at 8 per cent. on the amount of Subscription due.

As in my last letter to your address (dated about a month back) I have given my reasons for wishing the above Proposition to be adopted, I have the honor to request that a copy of it may be circulated together with the Proposition itself, and to be,

Sir,
Your most obedient Servant,
P. SCOTT,
Civil Service.

Poona, 2d October 1841.

I beg to second Mr. Scott's Proposition.
P. STEWART,
Civil Service.

Cowni, 4th October 1841.

P. SCOTT Esquire,
Civil Service.

Sir,

I have had the honor to receive and lay before the Trustees, your letter of the 2d instant, and in reply am directed to inform you, that the Proposition therein contained will be laid before the first General Meeting of the Subscribers to the Fund.

I have the honor to be,
Sir,
Your most obedient Servant,
W. R. MORRIS,
Secy. Civil Fund.

Bombay, Civil Fund Office, 12th October 1841.

APPENDIX I.

Memorandum by the Secretary.

I beg to circulate for the instructions of the Trustees the accompanying Memorandum from Mr. Greenhill of this day's date.

As the course of proceeding solicited by Mr. Greenhill is quite unusual and calculated to introduce a new practice, the regular and established mode being to circulate these documents when the whole have been received, and when the business is in a fit state to be laid before a General Meeting, I do not feel myself authorized to deviate from that course without the sanction of the Trustees.

W. R. MORRIS,
Secy. Civil Fund.

Bombay, Civil Fund Office, 25th Nov. 1841.

Minute by Mr. Greenhill.

I would request the Secretary to do me the favor of sending me any Minutes, and the votes that may have been received, on the Propositions in circulation.

D. GREENHILL
Trustee.

25th November 1841.

Minute by the Trustees.

The ordinary course of proceeding should continue to be observed, if a departure from it, is, as stated by the Secretary, calculated to produce inconvenience.

W. C. BRUCE,
J. PYNE,
J. P. WILLOUGHBY,
P. W. LEGYT,
R. T. WEBB,

Memorandum by Mr. Greenhill.

I never before heard of a Secretary to a Board, hesitating to send a Member of it on a requisition any document whatever from his office, without the authority of the Board; and I believe the approbation of such a course of proceeding as has surprised me on this occasion, to be without precedent. I do not see how business can be carried on, or one's duty performed, if the Secretary have the power of withholding, or of throwing difficulties in the way of obtaining papers or information.

If any real inconvenience could arise from the official papers being seen by any one but the Secretary, it should have been stated for our consideration, and with great deference to my colleagues, I scarcely can think they are justified in sanctioning the course proposed to them, merely because the Secretary has not usually circulated papers till he had drafted his Report for the General Meeting.

I consider it essential to the due execution of our duty towards our Constituents, that every official document and information be at all times accessible to any Trustee. Properly speaking, every letter received by the Secretary should, as soon as convenience permitted, be circulated to the Trustees for their information;—if it has not been usual to do so, the disuse is merely by the silent acquiescence on the part of the Trustees, but the Secretary, or, with all respect I say it, the majority of the Trustees, have no right to withhold papers from the knowledge of any Member on his requisition being made.

I would propose that in future, it be a standing order that all papers be circulated when received, for the information of the Trustees, and I circulate these remarks, with some hope that a different view will be taken of the point from that which my Colleagues appear at present to entertain. They will perceive that I do not require the Secretary to circulate the papers to the Trustees generally, or with any draft of proceedings for adoption: I only require a perusal of them, which might or might not give rise to some proposition from myself.

D. GREENHILL,
Trustee.

26th November.

Minute by the Trustees.

Without shewing good cause for it, Mr. Greenhill can surely scarcely expect the Trustees to agree to what he wishes in defiance both of usage and the opinion given by the Secretary.

W. C. BRUCE,
J. PYNE,
J. P. WILLOUGHBY,
R. T. WEBB,

Memorandum by Mr. Legeyt.

There can be no doubt but that every Trustee has a right to see the papers which may be sent to the Secretary but whether the Secretary is obliged to circulate them, is another question, it has not been the practice, and would entail much trouble, and the Secretary thinks, produce inconvenience, but of course there can be no objection to any Trustee seeing any papers he chooses by a *personal* application at the Secretary's Office, and this I think Mr. Greenhill should be told.

P. W. LEGEYT.

To,

JOHN WILLIAMS Esq.

&c. Trustees of the Bombay Civil Fund.

Gentlemen,

I much regret that the course adopted by you in relation to the matter adverted to in the accompanying letter, addressed to the Members of the Fund, has left me no alternative but to request, under the provisions of Section 2d, Article IV of the regulations, that you will have the goodness to circulate that letter to the Members at the Presidency, and to bring it before the next General Meeting.

I have the honor to be,
Gentlemen,
Your Most Obedient Servant,
D. GREENHILL.

Bombay, 1st December 1841.

To,

THE MEMBERS OF THE BOMBAY CIVIL FUND,

GENTLEMEN,

In the discharge of the duties assigned to me in the capacity of Trustee of the Civil Fund, to which you did me the honor to elect me, I had a few days ago occasion to see some papers connected with the subject of the Annuities, and other questions now under discussion, and accordingly sent a Memorandum to the Secretary requesting him to have the goodness to forward them to me. Instead of their being furnished as desired, I received a Memo. from the Secretary, with a Minute thereon by the Trustees, declining compliance with my requisition, on the plea of such a request being irregular.

2. Surprised at such a denial, I addressed the following Minute to my Colleagues.

"I never before heard of a Secretary to a Board hesitating to send a Member of it, on a requisition, any "document whatever from his office, without the authority of the Board; and I believe the approbation of "such a course of proceeding as has surprised me on this occasion, to be without precedent. I do not "see how business can be carried on, or one's duty performed, if the Secretary have the power of with- "holding, or of throwing difficulties in the way of obtaining papers or information. If any real incon- "venience could arise, from the official papers being seen by any one but the Secretary, it should have been "stated for our consideration; and with great deference to my Colleagues, I scarcely can think they are "justified in sanctioning the course proposed to them, merely because the Secretary has not usually circu- "lated papers, till he had drafted his report for the General Meeting.

"I consider it essential to the due execution of our duty towards our Constituents, that every official do- "cument and information, be at all times accessible to any Trustee. Properly speaking, every letter re- "ceived by the Secretary, should, as soon as convenience permitted, be circulated to the Trustees for their "information:—if it has not been usual to do so, the disuse is merely by the silent acquiescence on the "part of the Trustees, but the Secretary, or, with all respect I say it, the majority of the Trustees, have no "right to withhold papers from the knowledge of any Member, on his requisition being made.

"I would propose that in future, it be a standing order, that all papers be circulated when received, for "the information of the Trustees; and I circulate these remarks, with some hope that a different view will "be taken of the point, from that which my Colleagues appear at present to entertain. They will perceive "that I do not require the Secretary to circulate the papers to the Trustees generally, or with any draft of "proceedings for adoption. I only require a perusal of them, which might or might not give rise to some "proposition from myself."

3. In reply to the above, a majority of the Trustees stated to the effect, that I could not expect them to accede to my request, in opposition to usage, and the opinion of the Secretary.

4. This is the first time that I ever knew of any Member of a Board, being refused access to every document in charge of its Secretary; and I never before heard the right even questioned. Had it been shewn, that circumstances prevented the immediate compliance with my requisition, without entailing embarrassment or inconvenience to the proceedings of the Trustees or the Secretary, I should at once have acquiesced in the temporary delay caused thereby, but this not being the case, I cannot consistently with the trust reposed in me, consent to forego a right, so salutary, and indeed essentially necessary, to enable me to fulfil that trust satisfactorily to myself; or as far as my humble means allow, with advantage to the interests of the institution.

5. So circumstanced, there appears no other alternative than that I should request you to accept my resignation of a trust, which I have had the gratification to hold under different elections for the period of six successive years, and which I should have gladly retained, till my retirement from the public service, or till relieved by yourselves.

I have the honor to be,
Gentlemen,
Your most obedient Servant,
D. GREENHILL.

Bombay, 1st December 1841.

APPENDIX J.

STATEMENT.

FIRST DIVISION.

No.	Name.	Date of arrival.	Date of Death.	Retired.	Annuity £ 1000.	Annuity £ 250.
1	James Stevens..	27th Aug. 1784.	21st Jany. 1827.	..	..	..
2	George Corsellis	21st Sept. 1790.	..	..	1st May 1828	..
3	John Elphinston	4th Sept. 1794.	..	..	Do.	..
4	Guy Lennox Prendergast ..	20th Sept. 1793.	..	..	1st May 1826	..
5	Francis Warden..	3rd Sept. 1795.	..	..	1st May 1829	..
6	Thomas Warden.. ..	8th Sept. 1795.	..	..	Do.	..
7	Richard Thomas Goodwin. ..	29th Jan. 1798.	..	..	1st May 1830	..
8	Thomas Flower.. . ..	4th June 1797.	..	..	Do.	..
9	Thomas Hervey Baber	31st Mar. 1797.	..	..	1st May 1839	..
10	Henry Agar	4th June 1798.	..	..	1st May 1828	..
11	James Joseph Sparrow	6th Dec. 1799.	2nd Oct. 1829.	..	..	..
12	John Raymond Snow	8th Sept. 1794.	7th May 1827.	..	..	..
13	Sir Richard Jenkins	16th Jany 1801.	..	..	1st May 1828	..
14	John Romer	4th Sept. 1800.	..	..	1st May 1832	..
15	William Newnham.	11th Aug. 1805.	..	..	1st May 1835	..
16	Edward Ironside	20th June 1806.	..	..	9th Jany. 1838	..
17	Thomas Barnard.. ..	6th Oct. 1806	..	..	1st May 1833	..
18	James Sutherland. . ..	11th Jany. 1807	10th June 1840.	..	..	..
19	James Williams.. . ..	1st Sept. 1807	17th Octr. 1837.	..	..	..
20	Vicesimus Hale	24th June 1807	13th Jan. 1826.	..	..	..
21	Thomas Charles Fraser . ..	24th June 1807	25th Jan. 1831.	..	..	..
1 22	John Hinde Pelly	24th June 1807	..	..	..	..
2 23	Saville Marriott	1st Sept. 1807	..	.	..	..
24	George William Bird	1st Sept. 1807	30th June 1827.	..	..	..
3 25	John Andrew Dunlop.. ...	16th Feb 1808	..	..	..	..
26	John Wedderburn	30th Octr. 1808	..	..	1st May 1837	..
27	James Henderson	18th Sept. 1808	..	..	1st July 1835	..
28	James Farish	25th June 1809	..	..	22d April 1840	..
4 29	George William Anderson ..	25th June 1809	..	..	..	..
30	Bazett Doveton	17th Sept. 1810	..	..	1st Jany. 1840	..
31	James Denis DeVitre	17th Sept. 1810	...	.	13th June 1837	..
32	William Anthony Jones	17th Sept. 1810	14th Oct. 1827.	..	..	..
33	Evan Hamilton Baillie	5th Sept. 1811	..	..	1st May 1837	..
34	Charles Norris	25th Oct. 1811	..	..	8th May 1836	..
35	Gilbert More..	10th July 1812	24th Aug. 1830	..	..	..
36	Charles Law	20th Oct. 1812	1st April 1828	..	..	..
5 37	John Box	20th Oct. 1812	..	..	..	..
38	James Taylor..	9th May 1813	6th April 1838	.	..	..
39	William Henry Wathen	9th May 1813	..	..	1st Jany. 1840	..
40	William James Lumsden.. ..	9th May 1813	..	..	9th Dec. 1837	..
6 41	John Williams	9th May 1813	..	..	..	.
7 42	Frederick Bourchier	9th May 1813	..	..	..	..
43	John Kentish	21st May 1814	..	..	11th Dec. 1838	..
8 44	David Greenhill.. ...	21st May 1814	..	..	..	..
45	Robert Boyd..	21st May 1814	..	5th Jany 1826.	..	..
46	Edward Grant	27th May 1815	8th Oct. 1838	..	..	..
9 47	George Lettsom Elliot	27th May 1815	..	..	..	..
48	Arthur Crawford	15th May 1816	28th Feb. 1827	..	..	..
49	James Bruce Simson	7th Aug. 1816	22d Nov. 1838	..	..	..
10 50	William Cunningham Bruce..	26th June 1816	..	..	..	..
11 51	Edward Eden Elliot	15th May 1816	..	...	..	..
52	William Stubbs..	15th May 1816	..	..	13th Dec. 1840	..
12 53	Thomas Williamson	22nd Sept. 1816	..	..	..	..
13 54	John Vibart	22nd Sept. 1816	..	..	..	..
14 55	Alexander Bell	15th May 1816	..	..	..	..
56	Hidebrand Gordon Oakes ...	2nd April 1817	30th Oct. 1831	..	..	..
57	John Hornby Little	17th May 1817	29th Dec. 1829	..	..	..
15 58	Lestock Robert Reid	30th May 1817	..	..	..	..
16 59	George Giberne . ..	30th May 1817	..	..	..	..
60	Richard Torin	30th May 1817	..	Dec. 1825.	..	..
61	John Andrew Forbes	17th May 1817	26th Sept. 1840	..	..	..
17 62	Richard Mills	30th May 1817	...	..	..	..
18 63	Edward Bridgman Mills ..	30th May 1817	..	..	..	..
19 64	John Pyne ..	11th May 1818	..	..	..	..
20 65	John Pollard Willoughby ..	10th Feby. 1819	..	..	..	..
21 66	John Andrew Shaw .. .	10th Feby. 1819	..	..	..	..
22 67	Henry Harrington Glass ..	1st June 1819	..	..	..	..
23 68	William Sprott Boyd	1st June 1819	..	..	..	..
24 69	Harry Borradaile	29th May 1819	..	..	..	..
70	George McKenzie Blair . ..	29th May 1819	6th July 1830	..	..	..
25 71	William Richard Morris ..	24th Mar. 1820	..	..	..	..
26 72	William Simson	21st May 1820	..	..	..	..
27 73	Benjamin Hutt	24th Mar. 1820	..	..	..	..
28 74	David Anderson Blane	7th June 1820	..	..	..	..
29 75	Sir Robert Keith Arbuthnot .	7th June 1820	..	..	..	..
76	Edmund Holland	20th May 1821	..	1828.	..	..
77	Henry Frederick Dent	30th April 1820	29th Nov. 1825	..	..	..
30 78	Joseph Henry Jackson	7th June 1820	..	..	..	..
79	Alexander Bell	30th April 1820	15th Jany. 1839	..	..	..
31 80	Alexander Elphinstone	7th June 1820	..	..	..	..

No.		Name.	Date of arrival.	Date of Death.	Retired.	Annuity £1000.	Annuity £250.
32	81	John Warden	17th April 1821	...	..	..	..
	82	Charles Gore Houlton	20th May 1821	12th Aug. 1826	..	..	..
	83	John Hurdis Ravenshaw	17th April 1821	..	February 1826.	..	..
	84	James Hilaro Farquharson.	17th April 1821	14th Nov. 1833	..	..	..
	85	William Willes	10th May 1821	..	August 1827.	..	..
	86	Nathaniel Hornby	17th April 1821	11th Sept. 1835	..	..	..
33	87	Robert Keith Pringle	10th June 1821	..	..	..	..
34	88	Edmund Montgomerie	11th June 1821	...	..	..	..
	89	William Chamier	30th Oct. 1821	..	..	..	15th Nov. 1839.
35	90	Phillip William LeGeyt	30th Oct. 1821	..	..	..	..
36	91	Henry Allen Harrison	10th June 1821	..	..	..	..
37	92	Richard Townsend Webb	10th June 1821	..	..	..	..
38	93	Henry Brown	10th June 1821	..	..	..	..
39	94	Jackson William Muspratt	10th June 1821	..	..	..	...
	95	George Charles Wroughton.	10th June 1821	30th June 1829	..	..	..
40	96	Phillip Stewart	28th Jany. 1822	..	..	..	..
41	97	Gregor Grant	27th April 1822	..	..	..	..
	98	Arthur Steele	17th May 1822	15th July 1829	..	..	..
	99	William James Graham	27th Nov. 1822	28th Feb. 1829	..	..	..
	100	Henry Young	15th Aug. 1822	..	5th Sept. 1838	..	..
42	101	Edward Hume Townsend	11th June 1822	..	..	..	..
43	102	William Charles Andrews	11th June 1822	..	..	..	..
44	103	John William Langford	11th June 1822	..	..	..	..
	104	Frederick J. H. Reeves	11th June 1822	..	.. 1832	..	..
45	105	Nugent Kirkland	11th June 1822	..	..	..	..
	106	William Wyndham Malet	15th Aug. 1822	..	..	..	1st May 1836.
	107	James Seton	17th May 1822	26th April 1834	..	..	..
	108	The Hon'ble M. A. Harris	4th Nov. 1822	..	August 1827.	..	..
	109	William Clerk.	10th June 1822	..	.. 1840	..	..
46	110	Alexander Nisbet Shaw	11th June 1822	..	..	..	..
47	111	Charles Sims	10th June 1822	..	..	..	..
48	112	Walter John Hunter	11th June 1822	..	..	..	..
	113	Henry George Barnett	10th June 1822	..	..	..	1st May 1837.
	114	Henry Bebb Morris	4th Nov 1822	..	1833.	..	..
	115	Robert Cotton Money	25th May 1823	2nd Jany. 1835	..	..	..
	116	Robert Gray Chambers	25th May 1823	16th Nov. 1839	..	..	..
	117	Walter Fullerton	25th May 1823	..	2nd Jany. 1828	..	..
	118	Charles Prescott	6th Mar. 1823	8th Nov. 1839	..	..	..
49	119	William Richardson	12th Mar. 1823	..	..	..	..
	120	James Steven	6th July 1823	18th Sept. 1832	..	..	..
50	121	James Erskine	29th Oct. 1823	..	..	..	..
51	122	Lancelot Wilkinson	8th June 1824	..	..	..	..
52	123	George Hicks Pitt	2nd Feb. 1824	..	..	..	..
53	124	Thomas Hill Talbot	10th May 1824	..	..	..	..
	125	Frederick Alexander Corsar.	21st June 1824	10th Nov. 1833	..	..	..
	126	Alexander George Malcolm	7th June 1824	25th July 1826	..	..	..
	127	John Burnett	7th June 1824	2nd Mar. 1834	..	..	..
	128	Thomas Hare Binny	9th June 1824	29th June 1826	..	..	..
	129	Alexander Seton	29th Sept. 1824	19th June 1831	..	..	..

ABSTRACT.

Year.	Survivorship by Table 8. No.	25 Years.	16 Years.	Actual Survivorship 16 Years.	Deaths.	Relinquishment of Service.	Annuities of £1000.	Annuities of £250.
1824-25	8	4.223	5.316	3	5	..	..	..
1823-24	7	3.791	4.772	2	4	1	..	..
1822-23	19	10.555	13.287	9	3	5	..	2
1821-22	15	8.549	10.761	8	4	2	..	1
1820-21	10	5.847	7.360	7	2	1	..	..
1819-20	6	3.599	4.531	5	1	..	..	..
1818-19	1	0.615	0.775	1	..	..	..	..
1817-18	8	5.050	6.358	4	3	1	..	..
1816-17	8	5.181	6.521	5	2	..	1	..
1815-16	2	1.329	1.672	1	1	..	..	..
1814-15	3	2.045	2.573	1	..	1	1	..
1813-14	5	3.496	4.400	2	1	..	2	..
1812-13	3	2.152	2.708	1	2	..	..	..
1811-12	2	1.472	1.852	..	..	..	2	..
1810-11	3	2.265	2.850	..	1	..	2	..
1809-10	2	1.549	1.950	1	..	..	1	..
1808-9	2	1.589	2.000	..	..	..	2	..
1807-8	8	6.522	8.000	3	5	..	..	..
1806-7	2	1.672	2.000	..	..	..	2	..
1805-6	1	0.858	1.000	..	..	..	1	..
1800-1	2	1.950	2.000	..	..	..	2	..
1784 to 1799	12	12.000	12.000	..	3	..	9	..
	129	86.309	104.686	53	37	11	25	3

Second Division.

No.		Name.	Date of arrival.	Date of Death.	Retired.	Annuity £ 1000.	Annuity £ 250.
54	1	William Birdwood	23d May 1825	..	..	..	..
	2	Phillip Bacon	30th May 1825	14th Jany. 1836	..	..	..
	3	Charles Edison	10th Oct. 1825	4th Jan. 1829	..	..	..
	4	James Neilson Walker	6th June 1825	4th Jan. 1827	..	..	..
	5	Robert Anderson	10th Oct. 1825	4th Oct. 1826	..	..	..
55	6	Edward Gordon Fawcett	6th June 1825	..	..	..	..
	7	William George Clark	10th Oct. 1825	..	17th Sept. 1834	..	..
	8	Alexander Edward Hamilton	29th April 1826	29th June 1827	..	..	..
56	9	Henry Wilson Reeves	12th Decr. 1825	..	..	..	..
57	10	Arthur Malet	29th April 1826	..	..	..	..
58	11	Robert Davies Luard	12th Dec. 1825	..	..	..	..
59	12	Arthur Hornby	19th May 1826	..	..	..	..
60	13	Arthur Walpole Ravenscroft	23rd Jan. 1827	..	..	..	..
	14	Spencer William Kynaston	28th Octr. 1826	29th Nov. 1827	..	..	..
	15	William Cooke	31st Mar. 1827	14th Decr. 1827	..	..	..
61	16	Robert Collins Chambers	1st April 1827	..	..	..	..
62	17	George Coles	31st Mar. 1827	..	..	..	..
63	18	William Warden Bell	31st Mar. 1827	..	..	..	..
64	19	Patrick Scott	12th June 1827	..	..	..	..
	20	John Hugh Bainbridge	12th June 1827	..	26th Feb. 1841	..	..
	21	Edward J. Stracey	12th June 1827	10th Nov. 1833	..	..	..
65	22	William Escombe	26th Oct. 1827	..	..	..	..
	23	Edward Chamier	26th Oct. 1827	1st Jany. 1836	..	..	..
	24	Richard Severn Frampton	26th Oct. 1827	1st Decr. 1831	..	..	..
	25	Capel Arthur Hanbury Tracy	26th Oct. 1827	28th July 1834	..	..	..
	26	James Polhill Chambers	12th Feby. 1828	3rd Sept. 1831	..	..	..
	27	Charles Clerk	24th May 1828	7th Sept. 1828	..	..	..
66	28	James Grant Lumsden	5th April 1828	..	..	..	..
67	29	John Gordon	1st June 1828	..	..	..	..
68	30	Henry Liddell	5th June 1828	..	..	..	..
69	31	John Webb	1st June 1828	..	..	..	..
	32	William Heneage Dyke	1st June 1828	27th April 1834	..	..	..
70	33	George Augustus Eugenius Campbell	20th Nov. 1828	..	..	..	..
71	34	William Courtney	31st Decr. 1828	..	..	..	..
72	35	George Malcolm	30th Nov. 1828	..	..	..	..
73	36	Gilbert James Blane	30th Nov. 1828	..	..	..	..
	37	Robert J. M. Muspratt	12th June 1827	20th July 1827	..	..	..
74	38	Richard Spooner	30th Nov. 1828	..	..	..	..
75	39	James Sutherland Law	13th Feb. 1829	..	..	..	..
	40	William Dent	13th Feb. 1829	22nd Jan. 1834	..	..	..
76	41	Godfrey Lee Farrant	13th Feb. 1829	..	..	..	..
	42	Archibald A. N. Campbell	19th May 1829	3rd Jany. 1838	..	..	..
	43	Francis Williamson Jones	19th May 1829	29th April 1831	..	..	..
77	44	Charles Price	14th May 1829	..	..	..	..
	45	John McKenzie G. Robertson	3rd July 1829	15th Mar. 1832	..	..	..
78	46	Archibald Spens	3rd July 1829	..	..	..	..
79	47	Hugh Poynt2 Malet	2nd Decr. 1829	..	..	..	..
80	48	Robert Keays	16th June 1830	..	..	..	..
	49	George Hadden	5th June 1830	26th Jan. 1831	..	..	..
	50	James Edward Hallett	5th June 1830	22nd Dec. 1830	..	..	..
81	51	John Marshall Davies	6th June 1830	..	..	..	..
82	52	William Edward Frere	5th June 1830	..	..	..	..
83	53	Ashness Remington	15th May 1830	..	..	..	..
84	54	Henry Young	20th Novr. 1830	..	..	..	..
85	55	Adam Campbell	20th Nov. 1830	..	..	..	..
86	56	Metcalfe Larkin	8th Jan. 1831	..	..	..	..
	57	Edmund Hodge Briggs	8th Jan. 1831	27th Oct. 1839	..	..	..
87	58	Albemarle Bettington	8th Jan. 1831	..	..	..	..
	59	Robert Stagg	21st May 1831	6th Mar. 1832	..	..	..
88	60	Jonathan Duncan Inverarity	11th May 1831	..	..	..	..
89	61	William Henry Harrison	27th Sept. 1831	..	..	..	..
90	62	Richard Young Bazett	27th Sept. 1831	..	..	..	..
91	63	Henry Edward Goldsmid	20th May 1831	..	..	..	..
92	64	Edward Herbert Dallas	19th June 1831	..	..	..	..
93	65	Charles Guy Prendergast	30th May 1831	..	..	..	..
94	66	Edward Champagne Jones	20th Jany. 1832	..	..	..	..
	67	Gilbert Malcolm	4th May 1832	29th June 1834	..	..	..
95	68	Edward Montague Suart	20th Mar. 1832	..	..	..	..
96	69	Thomas B. Ogilvy	20th Jan. 1832	..	..	..	..
97	70	Charles Mathew Harrison	27th Sept. 1831	..	..	..	..
98	71	Thomas Charles Loughnan	4th Dec. 1831	..	..	..	..
	72	George Waddell	20th Mar. 1832	13th Feb. 1838	..	..	..
99	73	Frank Sims	19th June 1832	..	..	..	..
100	74	John Hinde Pelly	11th May 1832	..	..	..	..
101	75	John Nugent Rose	15th May 1832	..	..	..	..
102	76	John William Woodcock	12th May 1832	..	..	..	..
	77	Edward Henry Baber	13th May 1832	26th Mar. 1834	..	..	..
103	78	Arthur King Corfield	16th July 1832	..	..	..	..
104	79	Henry Hebbert	2nd Mar. 1833	..	..	..	..
105	80	Arthur Wellington Jones	4th Sept. 1833	..	..	..	..
106	81	Edgar William Burton	19th July 1833	..	..	..	..
107	82	Hardinge Robert Stracy	2nd July 1834	..	..	..	..
108	83	Henry Bartlet E. Frere	23rd Sept. 1834	..	..	..	..
109	84	Samuel Mansfield	7th Oct. 1834	..	..	..	..
	85	Henry James Blakiston	7th Oct. 1834	17th Oct. 1836	..	..	..
110	86	Alexander Charles Stuart	7th Oct. 1834	..	..	..	..

	No.	Name.	Date of arrival.	Date of Death.	Retired.	Annuity £ 1060.	Annuity £ 250
111	87	John Buchanan..	.. 13th Aug. 1834	..	..	..	..
112	88	Duncan Davidson....	.. 23rd Sept. 1835	..	..	..	..
113	89	Arthur Andrew C. Forbes..	1st Sept. 1835	..	..	..	..
114	90	William Hart	8th May 1835	..	..	..	..
115	91	Edward Leighton Jenkins..	3rd Feby. 1836	..	..	..	..
116	92	John Robly Morgan . ..	1st Dec. 1835	..	..	..	..
	93	William Odnall Russell. ..	3rd Feby. 1836	27th Mar. 1836	..	..	..
117	94	John William Hadow.. ..	29th Aug. 1836	..	..	..	..
118	95	George Berkely S. Karr..	10th Jan. 1837	..	..	..	..
119	96	Charles Edward Tytler.. ..	3rd May 1837	..	..	..	..
120	97	Arthur St. John Richardson.	3rd Oct. 1837	..	..	..	..
121	98	William James Turquand..	21st Jan. 1838	..	..	..	..
122	99	Stephen Babington.. ..	20th Oct. 1838	..	..	..	..
	100	Charles Forbes.. ..	26th Oct. 1838	..	31st July 1840	..	..
	101	Charles Edward Stewart. ..	12th Mar. 1840	18th Nov. 1840	..	..	..
123	102	George Inverarity.. ..	29th April 1840	..	..	..	..
124	103	Claudius James Erskine. ..	10th Octr. 1840	..	..	..	..
125	104	Henry Lacon Anderson. ..	10th Aug. 1840	..	..	..	..
126	105	John Samuel D. DeVitre...	6th May 1840	..	..	..	..
127	106	William Agnew Goldfinch..	2nd May 1841	..	..	..	..
128	107	Astley Cooper Travers....	21st Apr. 1841	..	..	..	..
129	108	Charles Forbes.... ..	12th Jan. 1841	..	..	..	..

ABSTRACT.

Year.	No.	Survivorship by Table 8.	Actual Survivorship.	Deaths.	Relinquishment of Service.
1825-26	11	7.310	5	5	1
1826-27	7	4.771	5	2	..
1827-28	10	6.992	3	6	1
1828-29	13	9.325	10	3	..
1829-30	6	4.415	3	3	..
1830-31	11	8.305	8	3	..
1831-32	14	10.842	11	3	..
1832-33	7	5.562	6	1	..
1833-34	2	1.630	2	..	..
1834-35	6	5.017	5	1	..
1835-36	6	5.137	5	1	..
1836-37	2	1.660	2	..	..
1837-38	3	2.708	3	..	..
1838-39	2	1.852	1	..	1
1839-40	2	1.900	1	1	..
1840-41	6	5.847	6	..	..
	108	83.273	76	29	3

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on 31 October, 2019

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